

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

ELEVENTH DAY'S PROCEEDINGS

**Fortieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, March 26, 2014

The House of Representatives was called to order at 2:00 P.M., by the Honorable Chuck Kleckley, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Geymann	Miller
Abramson	Gislair	Montoucet
Anders	Greene	Moreno
Armes	Guillory	Morris, Jay
Arnold	Guinn	Norton
Badon	Harris	Ortego
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burrell	Hunter	Schexnayder
Carmody	Huval	Schroder
Carter	Ivey	Seabaugh
Champagne	Jackson, K.	Shadoin
Chaney	James	Simon
Connick	Jefferson	Smith
Cox	Johnson	St. Germain
Cromer	Jones	Stokes
Danahay	Lambert	Talbot
Dixon	Landry, N.	Thibaut
Dove	Landry, T.	Thierry
Fannin	LeBas	Whitney
Foil	Leger	Williams, A.
Franklin	Leopold	Williams, P.
Gaines	Lorusso	Willmott
Garofalo	Mack	Woodruff

Total - 99

The Speaker announced that there were 99 members present and a quorum.

Prayer

Prayer was offered by Rep. Cox.

Pledge of Allegiance

Rep. Armes led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Hill, the reading of the Journal was dispensed with.

On motion of Rep. Hill, the Journal of March 25, 2014, was adopted.

**Petitions, Memorials, and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

March 26, 2014

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 39
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

March 26, 2014

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 32, 35, 42, 43, and 45

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

March 26, 2014

Page 2 HOUSE

11th Day's Proceedings - March 26, 2014

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 48, 51, 52, 56, 59, 88, 97, 125, 126, 152, 174, 177, 212, 234, 246, 251, 253, 262, 320, 369, 417, 430, 435, and 461

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 48— BY SENATOR JOHN SMITH

AN ACT

To enact R.S. 33:447.13, relative to the mayor's court of the town of Rosepine; to authorize an increase in court costs for violations of municipal ordinances; and to provide for related matters.

Read by title.

SENATE BILL NO. 51— BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 51:1304(C)(4), 1305(A), the introductory paragraph of 1305(B), 1305(C), and 1309(B), and to repeal R.S. 51:1302(7), relative to the Louisiana Tax Free Shopping Program; to remove the authority of the program to charge participating retailers a membership fee; and to provide for related matters.

Read by title.

SENATE BILL NO. 52— BY SENATOR JOHN SMITH

AN ACT

To enact R.S. 33:447.13, relative to courts; to increase authorized court costs for municipal ordinance violations in the mayor's court of the town of Anacoco; and to provide for related matters.

Read by title.

SENATE BILL NO. 56— BY SENATOR NEVERS

AN ACT

To enact R.S. 17:3167.1, relative to the articulation and transfer of academic credit hours across all public educational institutions in Louisiana; to require secondary and postsecondary education management boards to participate in regular meetings regarding articulation and transfer policies and agreements; to provide relative to the purpose and outcomes of such meetings; to provide for reporting; and to provide for related matters.

Read by title.

SENATE BILL NO. 59— BY SENATOR JOHN SMITH AND REPRESENTATIVE HILL

AN ACT

To repeal Part I-A of Chapter 4 of Title 12 of the Louisiana Revised Statutes of 1950, comprised of R.S. 12:431 and 431.1, relative to the Beauregard Electric Cooperative; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 88— BY SENATOR ALARIO

AN ACT

To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(a), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

SENATE BILL NO. 97— BY SENATOR NEVERS

AN ACT

To repeal Subpart B-35 of Part IV of Chapter I of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.701 through 130.709, relative to the Tangipahoa Parish Economic Development District; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 125— BY SENATORS NEVERS, APPEL, GUILLORY, LAFLEUR, WALSWORTH AND WHITE

AN ACT

To amend and reenact R.S. 17:185.4 and to enact R.S. 17:185.5 and 185.6 and R.S. 36:651(G)(4), relative to agricultural education; to create the Agricultural Education Commission and provide for its membership, compensation, duties, staffing, and meetings; to provide for the creation of an agricultural education immersion pilot program; to provide relative to funding and effectiveness; and to provide for related matters.

Read by title.

SENATE BILL NO. 126— BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:3048.5(B)(1), (D), (F) and (G), relative to the TOPS-Tech Early Start Award; to provide for purpose; to provide for eligibility; to provide for reporting; and to provide for related matters.

Read by title.

SENATE BILL NO. 152— BY SENATOR JOHN SMITH

AN ACT

To enact R.S. 33:4643.1, relative to the board of control; to provide for an increase in membership on the Beauregard Parish War Memorial Civic Center; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 174— BY SENATORS PETERSON, APPEL, MARTINY AND GARY SMITH AND REPRESENTATIVES BILLIOT, LEOPOLD, LORUSSO, WILLMOTT AND WOODRUFF

AN ACT

To amend and reenact R.S. 33:4762(C), 4764(A), and 4765(C), relative to the removal of dangerous structures; to provide for notice to the owner; to provide for certain action to appeal decision; to provide for certain notification in cases of grave public emergencies; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 177—

BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 17:3351(A)(3), relative to the powers, duties, and functions of public postsecondary education management boards; to provide relative to the authority of such boards with respect to the allocation and expenditure of appropriated funds; to provide for effectiveness; and to provide for related matters.

Read by title.

SENATE BILL NO. 212—

BY SENATORS WARD, CHABERT, LONG, MORRISH AND WALSWORTH

AN ACT

To amend and reenact R.S. 56:116.1(B)(3) and (H), to enact R.S. 56:116.1(I), and to repeal R.S. 56:116.1(D)(3), relative to the taking of wild quadrupeds; to provide for the use of firearm sound suppressors when taking wild quadrupeds; to provide certain penalties; to provide for the use of night vision devices; to provide terms, conditions, and requirements; and to provide for related matters.

Read by title.

SENATE BILL NO. 234—

BY SENATOR JOHN SMITH

AN ACT

To amend and reenact R.S. 33:448(D), relative to mayor's courts; to provide relative to court costs for municipal ordinance violations in the mayor's court of the town of New Llano; to provide for the remission of certain funds; and to provide for related matters.

Read by title.

SENATE BILL NO. 246—

BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 56:495(A)(3) and (4) and to enact R.S. 56:495(A)(4.1) and (4.2) and (E), relative to shrimping; to provide for the inside and outside shrimp line; to alter the line to conform to the existing coastline after changes resultant from coastal erosion and subsidence; to allow the Louisiana Wildlife and Fisheries Commission to amend the demarcation line; to provide terms, conditions, and requirements; and to provide for related matters.

Read by title.

SENATE BILL NO. 251—

BY SENATOR WARD

AN ACT

To amend and reenact R.S. 56:116.2, relative to the sale or purchase of wild birds and wild quadrupeds; to provide prohibitions on the sale, purchase, trade, barter, or exchange or attempt to sell, purchase, trade, barter, or exchange of certain wild birds and wild quadrupeds; to provide certain exemptions; to provide terms, conditions, and requirements; and to provide for related matters.

Read by title.

SENATE BILL NO. 253—

BY SENATOR MORRISH

AN ACT

To enact R.S. 13:5722(A)(2)(d) and R.S. 15:571.11(A)(3) and to repeal R.S. 13:1000.7, relative to the Thirty-First Judicial District Court; to provide for an increase in certain criminal court costs; to provide for disposition of collections; to repeal nullified provisions; and to provide for related matters.

Read by title.

SENATE BILL NO. 262—

BY SENATOR NEVERS

AN ACT

To enact R.S. 33:4305 (B)(4), relative to the Washington Parish Gas Utility District No. 2 board members; to provide for a maximum amount of per diem paid to board members for each meeting; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 320—

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 17:1990(B)(1)(d) and R.S. 39:126, relative to capital outlay projects; to provide for certain change orders to be approved by the Joint Legislative Committee on the Budget; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 369—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 56:325(B)(3), relative to the possession limit for crappie in certain water bodies; to provide a fifty fish limit for crappie caught on Lake D'Arbonne; to provide terms, conditions, and requirements; and to provide for related matters.

Read by title.

SENATE BILL NO. 417—

BY SENATOR GARY SMITH

AN ACT

To enact R.S. 32:707(O), relative to the application for certificate of title of motor vehicles; to provide for requirement of certificate of title on a water damaged vehicle; and to provide for related matters.

Read by title.

SENATE BILL NO. 430—

BY SENATOR WALSWORTH

AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Union Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 435—

BY SENATOR PERRY

AN ACT

To enact R.S. 47:338.212, relative to the city of Scott; to authorize the city to levy a hotel occupancy tax; to provide for the use of tax revenues; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 461—

BY SENATORS PEACOCK AND LAFLEUR

AN ACT

To amend and reenact Code of Civil Procedure Art. 3191, relative to administration of successions; to provide relative to certain functions, powers, and duties of a succession representative; to provide relative to terms and definitions; to provide with respect to electronic assets of a decedent; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Carmody, the rules were suspended in order to take up and consider Introduction of Resolutions, House and House Concurrent at this time.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 41—

BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to prevent the deactivation of the 307th Red Horse Squadron, based at Barksdale Air Force Base in Bossier City, Louisiana.

Read by title.

On motion of Rep. Carmody, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE GUINN

A CONCURRENT RESOLUTION

To designate the community of Thornwell in Jefferson Davis Parish as the Yellow Rail Capital of the World and to recognize the Yellow Rails and Rice Festival held in Thornwell, Louisiana.

Read by title.

Lies over under the rules.

Introduction of House Bills and Joint Resolutions

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE BILL NO. 1066—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 40:1379.3(C)(1) and (17) and (K), relative to qualifications for concealed handgun permits; to provide for the submission of certain information for persons seeking a concealed handgun permit who are not United States citizens; to require a federal background check before issuing a concealed handgun permit; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1067—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 40:1722(A), 1723(A), and 1730.49(C) and to enact R.S. 40:1722(C), relative to sustainable building standards or codes used by the office of facility planning and control; to provide that any rules promulgated by the office of facility planning and control about the Louisiana Building Code for State Owned Buildings recognize certain initiative and certification programs in achieving sustainable building standards; to provide that certain state-funded facility projects recognize certain initiative and certification programs in achieving sustainable building standards; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1068—

BY REPRESENTATIVE SMITH

AN ACT

To enact Chapter 43 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2551 through 2553, relative to sex education programs; to provide for legislative findings; to require certain agencies to meet and review state programs aimed at reducing teen pregnancy and preventing the spread of sexually transmitted diseases; to require the agencies to review available programs aimed at reducing teen pregnancy and preventing the spread of sexually transmitted diseases; to require a written report to the legislature; and to provide for related matters.

Read by title.

Senate Concurrent Resolutions Lying Over

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 33—

BY SENATOR GUILLORY

A CONCURRENT RESOLUTION

To commend Mia Manzanares of Opelousas on being named the All-Around Cowgirl at the 2012 National High School Rodeo in Rock Springs, Wyoming, and at the 2012 International Finals Youth Rodeo in Shawnee, Oklahoma.

Read by title.

On motion of Rep. Thierry, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 34—

BY SENATOR DORSEY-COLOMB

A CONCURRENT RESOLUTION

To commend the Public Administration Institute Student Association (PAISA) at Louisiana State University and to recognize April 13, 2014, as the sixteenth annual PAISA Day in the state of Louisiana.

Read by title.

On motion of Rep. Smith, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 36—

BY SENATORS GARY SMITH, ALLAIN, BROWN AND CHABERT AND REPRESENTATIVES DOVE, GISCLAIR, HARRISON AND RICHARD

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Michael Hal Martin, Lafourche Parish tax assessor.

Read by title.

On motion of Rep. Gisclair, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 37—

BY SENATORS GARY SMITH AND BROWN AND REPRESENTATIVES GAINES, MILLER AND WILLMOTT

A CONCURRENT RESOLUTION

To commend La'Keisha McKinney on being selected the 2014 Teacher of the Year.

Read by title.

On motion of Rep. Gaines, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 38—
BY SENATORS GARY SMITH AND BROWN AND REPRESENTATIVES GAINES, MILLER AND WILLMOTT
A CONCURRENT RESOLUTION
To commend Amanda Baudot Morehouse on being selected as the 2013 Louisiana High School Teacher of the Year.

Read by title.

On motion of Rep. Gaines, and under a suspension of the rules, the resolution was concurred in.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

HOUSE BILL NO. 584—
BY REPRESENTATIVE PUGH
AN ACT
To enact R.S. 33:4712.16, relative to Tangipahoa Parish; to authorize the governing authority of the parish of Tangipahoa to name a building in honor of a living person; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

HOUSE BILL NO. 1057—
BY REPRESENTATIVE THIERRY
AN ACT
To amend and reenact the heading of Subpart D of Part III of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, R.S. 22:631(introductory paragraph), (4), and (6)(c) and (d) and 634(A)(1), relative to risk-based capital for health organizations; to define "health organization"; to amend certain formulas to determine risk-based capital; to define a "company-action level event"; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

HOUSE BILL NO. 1058—
BY REPRESENTATIVE HARRISON
AN ACT
To enact Part LXXV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.381 through 1300.382, relative to public information concerning Down syndrome; to provide for definitions; to require the Department of Health and Hospitals to disseminate information regarding Down syndrome to healthcare providers and to publish such information electronically; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1059—
BY REPRESENTATIVE TALBOT
AN ACT
To amend and reenact R.S. 23:890(F) and R.S. 42:456(A)(1) and to repeal R.S. 17:438 and R.S. 42:457, relative to public employee and teacher and school board employee payroll withholdings; to remove authority for certain payroll withholdings; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1060—
BY REPRESENTATIVE THIERRY
AN ACT
To amend and reenact R.S. 22:1333(C) and (D) and to enact R.S. 22:1333(G) and (H), relative to the renewal of homeowner's insurance; to define the three-year period in which an insurer may cancel a homeowner's policy; to require insurers withdraw from the homeowner's insurance market under certain circumstances; to clarify that an insurer's business plan shall be considered proprietary or trade secret pursuant to the Uniform Trade Secrets Act; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

HOUSE BILL NO. 1061—
BY REPRESENTATIVE SCHRODER
AN ACT
To amend and reenact Children's Code Articles 401, 552(2), 553(A) and (B), the heading of Part II of Chapter 6 of Title V of the Louisiana Children's Code, Children's Code Articles 558, 560(A), 571(B), 574, 575(B), 607, 608, 624(A), 625(A)(4), 627(E), 631(B), 720(A), (B)(introductory paragraph) and (6), (C), and (D), 723(D), 724(A) and (B), 1016(B) and (C), and 1269.4, to enact Chapter 7 of Title V of the Louisiana Children's Code, to be comprised of Children's Code Article 581, and Children's Code Articles 635.1 and 1405.1, and to repeal Children's Code Articles 559 and 571(C), relative to legal representation for children and indigent parents in child protection cases; to establish and provide for functions of the Louisiana Child Representation System and the Child Protection Representation Commission; to provide for the Child Advocacy Program of the Mental Health Advocacy Service; to provide relative to child in need of care proceedings; to provide for designation of programs by the Louisiana Supreme Court for provision of child representation services in certain courts; to provide for right to counsel for parents and conditions for waiving such right; to provide for custody hearings and orders; to provide for motions, case review reports, case plans, and filing in child protection cases; to provide for local rules of juvenile courts; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1062—
BY REPRESENTATIVE HOFFMANN
AN ACT
To enact R.S. 46:311 through 313, relative to the Supplemental Nutrition Assistance Program; to create and provide for a task force to study and make recommendations concerning electronic benefits disbursement by the Department of Children and Family Services; to provide for termination of the task force; to provide for redesignation of laws; and to provide for related matters.

Page 6 HOUSE

11th Day's Proceedings - March 26, 2014

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1063—

BY REPRESENTATIVE DOVE

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2014-2015 to be used to pay the consent judgment in the suit entitled "Rebecca Dominique wife of/and Alvin Dominique, Jr. v. State of Louisiana Department of Transportation and Development"; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

HOUSE BILL NO. 1064—

BY REPRESENTATIVE BROWN

AN ACT

To amend and reenact R.S. 37:2418(B) and to repeal R.S. 37:2418(C) and (D), relative to the practice of physical therapy; to eliminate certain restrictions on performance of physical therapy services; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1065—

BY REPRESENTATIVES POPE, ANDERS, BARROW, BROWN, HENSGENS, HODGES, AND HOWARD

AN ACT

To amend and reenact R.S. 37:1041(C)(2)(a), (3), (4)(a), and (5), to enact R.S. 37:1041(D) and (E), 1048(15), 1048.1, and 1049(8), and to repeal R.S. 37:1041(C)(2)(b) and (d) and 1061(A)(29); and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

Motion

On motion of Rep. Abramson, the Committee on Judiciary was discharged from further consideration of House Bill No. 623.

HOUSE BILL NO. 623—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 13:4165(A) and (D), relative to the appointment of special masters; to provide for contingent consent of the parties litigant; to provide for the compensation of the special master; and to provide for related matters.

Read by title.

On motion of Rep. Abramson, the bill was recommitted to the Committee on Civil Law and Procedure.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 4—

BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 11:2252 (introductory paragraph), 2252(4), 2256(A), and 2257(K)(3)(a) and (b), relative to statewide retirement systems; to provide relative to the Firefighters' Retirement System; to provide for definitions; to provide for eligibility, benefits, and accrual and contribution rates; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Retirement.

SENATE BILL NO. 12—

BY SENATORS GALLOT, DORSEY-COLOMB, PEACOCK, GARY SMITH AND THOMPSON

AN ACT

To amend and reenact R.S. 14:91.6(A) and 91.8, R.S. 26:901, 902(1), 905(B), 909(A)(2), 910, 910.1, the introductory paragraph of 911(A) and (A)(1) and (2), the introductory paragraph of 917(A) and (C), and 932(6), and R.S. 47:851(C)(2), and to enact R.S. 14:91.6(B)(6) and (7), relative to alternative nicotine products and vapor products; to prohibit the sale or other distribution of alternative nicotine products and vapor pens to persons under the age of eighteen years; to provide relative to definitions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 37—

BY SENATOR CORTEZ

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(C) and (D), relative to courts and jurisdiction; to provide for the civil jurisdiction of certain city courts; to provide relative to the City Court of Lafayette; to provide for an increase in the civil jurisdictional amount in dispute for the City Court of Lafayette; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 39—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 9:1113, relative to partition of immovable property; to provide relative to minority interests; to provide relative to private sales; to provide certain terms, conditions, and procedures; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 45—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:1373(B), relative to courts and judicial procedure; to provide relative to the Orleans Parish Criminal District Court; to provide certain procedures, terms, and conditions; to provide relative to clerks and court reporters; to provide relative to the preparation of court transcripts for appeals; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 82—

BY SENATOR THOMPSON AND REPRESENTATIVE ANDERS
AN ACT

To enact R.S. 49:191(7)(a) and to repeal R.S. 49:191(5)(c), relative to the Department of Agriculture and Forestry, including provisions to provide for the re-creation of the Department of Agriculture and Forestry and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE BILL NO. 85—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 9:315.3 and 315.20, relative to the obligation of child support; to provide for child care costs; to provide terms and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 93—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:4303, relative to the sale of certain forest tree seedlings; to provide relative to retention of sale receipts; to provide relative to department nurseries; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE BILL NO. 119—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:3103(A) and (B), 3105, and 3108(B), relative to the licensure and regulation of farm-raised exotic animals; to provide relative to licensees; to authorize the commissioner to adopt rules regarding fencing requirements; to provide for an increase in civil penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE BILL NO. 128—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 37:2352(4), (5), (6) and (7), 2354(B), (C) and (D), 2355(B), 2357, the introductory paragraph of 2359(B), 2359(E) and (G), 2363(A), (B), (C)(3), (4), and (5), and (D) and to enact R.S. 37:2352(8), (9), and (10), 2356.2, and 2359(B)(15), relative to the State Board of Examiners of Psychologists; to provide relative to powers and duties of the board; to provide for definitions; to provide for the licensure of specialists in school psychology; to provide for the practice of a licensed specialist in school psychology; to provide for licensure and licensure renewal fees; to provide for scope of practice of specialists in school psychology; to provide for

procedures, terms, and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 129—

BY SENATOR THOMPSON AND REPRESENTATIVE THOMPSON AND
SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 40:1472.3(B) and to enact R.S. 40:1472.3(A)(4), relative to public safety; to provide with respect to the regulation of explosives; to provide for requirements to obtain an explosives license; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 130—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 27:416(C), relative to video poker; to provide relative to diesel fuel sale requirements at qualified truck stops; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

SENATE BILL NO. 157—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 37:2352(6) and (7), 2354(A), (B), (C), and (D), the introductory paragraph of R.S. 37:2359(B), and 2359(C), (D), (E), (F), and (G) and to enact R.S. 37:2352(8), 2356.2 and 2359(B)(15), relative to the State Board of Examiners of Psychologists; to provide for a provisional license for psychologists; to provide for fees; to provide for definitions; to provide for the renewal of a provisional license; to provide for qualifications; to provide for continuing education; to provide the denial, revocation, or suspension of a provisional license; to provide for conditions, terms, and procedures; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 169—

BY SENATOR LONG

AN ACT

To amend and reenact the introductory paragraph of R.S. 22:2083(A)(2), (B)(1) and (2)(c) and the introductory paragraph of (h) and (v), and (C)(2)(c), 2084(6) and (12), 2087(A), (B), and (C), and the heading of R.S. 22:2098 and 2098(D); to enact R.S. 22:2083(A)(3), (4), and (5) and (B)(2)(j), 2084(11.1) and (12.1), and 2087(Q); and to repeal R.S. 22:2087(D) and (E), relative to the Louisiana Life and Health Insurance Guaranty Association; to provide for coverage and structured settlement annuities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

Page 8 HOUSE

11th Day's Proceedings - March 26, 2014

SENATE BILL NO. 172—

BY SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 17:1201(C)(1)(a) and (D) and 1206.1(A)(1), relative to sick leave for teachers and other school employees; to provide relative to sick leave granted as a result of assault or battery by a student or other person as it relates to retirement; to provide for worker's compensation benefits; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

SENATE BILL NO. 180—

BY SENATOR GALLOT

AN ACT

To amend and reenact R.S. 24:204(A)(3) and to enact R.S. 24:204(A)(10), relative to the Louisiana State Law Institute; to provide relative to the general purpose, duties and procedures of the Louisiana State Law Institute; to provide relative to recommendations concerning legislation; to include biennial recommendations for the repeal, removal or revision of law declared unconstitutional; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

SENATE BILL NO. 181—

BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 22:2314(C)(3), relative to the Louisiana Citizens Property Insurance Corporation policy take-out program; to provide with respect to ownership of a policy by a take-out company; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

SENATE BILL NO. 228—

BY SENATORS APPEL, MARTINY AND PETERSON AND REPRESENTATIVES BILLIOT, LORUSSO, WILLMOTT AND LEOPOLD

AN ACT

To amend and reenact R.S. 33:1373(G)(1) and (2), relative to enforcement of health, safety, and welfare ordinances in Jefferson and Orleans parishes; to provide relative to mailing or service of the notice of judgment; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 232—

BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 13:2583.1(A) and (C), 2583.2(A) and (B), 2583.3(A), 2583.4(A) and (B), 2583.5(A) and (B) and to enact R.S. 13:2583.6, relative to constables; to require certain training; to provide relative to the filing of certain oaths of office; to authorize a constable of a justice of the peace court in St. Martin Parish to appoint a deputy; to provide for compensation; to provide for qualifications of office; to provide for residency requirements; to provide for prohibitions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 239—

BY SENATOR WALSWORTH

AN ACT

To enact R.S. 49:191(7)(a) and to repeal R.S. 49:191(5)(h), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

SENATE BILL NO. 243—

BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 40:1429, relative to the insurance fraud investigation unit within the Department of Public Safety and Corrections; to extend the enforcement provisions of the unit to July 1, 2016; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

SENATE BILL NO. 245—

BY SENATOR MORRISH

AN ACT

To enact R.S. 42:1113(A)(1)(c), relative to the Code of Governmental Ethics; to provide relative to certain prohibited appointments; to prohibit certain immediate family members from serving on the same board or commission; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

SENATE BILL NO. 252—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 15:326 and 327, relative to sentencing; to provide relative to the Twenty-Second Judicial District Court sentencing policies and procedures; to provide for presentence investigation assessments; to provide for the use of a validated risk and needs assessment tool; to provide for certain terms, conditions and procedures; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 254—

BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 22:1542(20) and (21), 1547(A)(9), and 1551(C)(4), to enact R.S. 22:1542(22) and Part VIII-B of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1782.1 through 1782.3, and to repeal R.S. 22:992, relative to travel insurance; to provide with respect to definitions; to provide for the regulation of travel insurance producers; to provide with respect to the requirements for a travel retailer to offer travel insurance under a limited lines

travel insurance producer business entity; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

SENATE BILL NO. 260—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 22:1547(D) and (G), relative to producer license; to provide with respect to license reinstatement after lapse; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

SENATE BILL NO. 265—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 51:705(G), relative to securities; to provide for notice requirement for the issuance of a security; to make technical changes; to provide for terms and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

SENATE BILL NO. 269—
BY SENATOR PEACOCK

AN ACT

To amend and reenact the introductory paragraph of R.S. 9:1022 and 1024(A), relative to donations; to provide relative to donations by a curator on behalf of an interdict; to provide relative to the maximum value of certain donations; to provide for certain terms, conditions and procedures; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 272—
BY SENATOR MURRAY AND REPRESENTATIVE MILLER

AN ACT

To amend and reenact R.S. 18:1511.2(A)(5) and R.S. 42:1124(C), the introductory paragraph of 1124.2(C), the introductory paragraph of 1124.2.1(C), and the introductory paragraph of 1124.3(C) and to enact R.S. 18:1511.2(C) and R.S. 42:1124(B)(3), relative to the Supervisory Committee on Campaign Finance and the Board of Ethics; to provide for the approval of forms and reports by the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

SENATE BILL NO. 279—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 37:963, relative to the Louisiana State Board of Practical Nurse Examiners; to provide for the domicile of the board; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 281—
BY SENATOR BROWN

AN ACT

To amend and reenact R.S. 22:572.1, relative to insurance anti-fraud plan; to provide with respect to an exemption for small companies from the requirement to prepare, implement, maintain, and file with the commissioner an insurance anti-fraud plan; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

SENATE BILL NO. 287—
BY SENATOR MARTINY

AN ACT

To enact R.S. 49:191(7)(a) and to repeal R.S. 49:191(5)(b), relative to the Department of Public Service; to provide for the re-creation of the Department of Public Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

SENATE BILL NO. 288—
BY SENATOR MARTINY

AN ACT

To enact R.S. 49:191(7)(a) and to repeal R.S. 49:191(5)(l), relative to certain agencies within the office of the governor, including provisions to provide for the re-creation of such agencies; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

SENATE BILL NO. 296—
BY SENATOR MORRELL

AN ACT

To enact R.S. 15:622, relative to sexual assault collection kits; to require criminal justice agencies to conduct a physical inventory of such kits; to provide for definitions; to provide relative to the reporting of such inventory; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 336—
BY SENATORS APPEL AND JOHNS

AN ACT

To amend and reenact R.S. 17:7(4), 8.3(G) and (H), 22(2)(e), 1964(D)(9), 1970.4(D)(2)(i), and 1970.24(E)(1)(h), to enact R.S. 17:351.1 and 355 and to repeal R.S. 17:8 through 8.2, 351, 352, and 415.1, relative to textbooks and other instructional materials for use in elementary and secondary schools; to provide relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education, the

state Department of Education, and public school governing authorities; to provide relative to funding; to provide relative to the review of textbooks and other instructional materials by the state Department of Education, parents, and the public; to provide relative to contracts with publishers for the purchase, lease, and use of textbooks and other instructional materials; to provide relative to depositories for textbooks and other instructional materials; to provide relative to rules and regulations; to provide relative to the Task Force on Textbooks and Instructional Materials; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

SENATE BILL NO. 388—
BY SENATOR THOMPSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 15:562.2, 562.3(B)(2), the introductory paragraph of 562.4(A), and 562.6 and to enact R.S. 15:562.1(3)(i) and 562.2(B), relative to the registration of arson offenders; to provide relative to definitions; to authorize the state fire marshal to promulgate rules; to increase the duration of registration for certain offenders; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 402—
BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 13:5713(A) and 5715(A), R.S. 14:30(B)(1), and 95(H), and R.S. 17:2355.1, relative to coroners; to provide relative to duties; to provide relative to duties regarding paupers; to include coroners as peace officers for certain purposes; to provide for the carrying of concealed weapons by coroners; to provide relative to the search and disclosure of records by coroners; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 436—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 22:1931.13, relative to the Sledge Jeansonne Louisiana Insurance Fraud Prevention Act; to change the sunset date of the Act; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

SENATE BILL NO. 489—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact the introductory paragraph of R.S. 46:2616 and to enact R.S. 46:2616(B), relative to the diabetes annual action plan; to provide relative to content; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 498—
BY SENATORS HEITMEIER AND ALARIO
AN ACT

To amend and reenact R.S. 46:2116.1, 2116.2(B)(2) and (C)(4), 2116.3(A) and (C), and 2116.5(A) and to repeal R.S. 46:2116.5(D), relative to personal care assistance services; to provide for definitions; to provide for the state personal assistance services program; to provide for rules; to repeal certain provisions related to evaluation teams; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 502—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 40:2198.12 (D), relative to licensure of pain management clinics; to provide for the expiration of a licensure exemption; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 510—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(j), relative to the Department of Veterans Affairs; to provide for re-creation of the Department of Veterans Affairs and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 511—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(g), relative to the Department of Children and Family Services; to provide for re-creation of the Department of Children and Family Services and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 538—
BY SENATORS JOHN SMITH, ALLAIN, BUFFINGTON, CLAITOR, DORSEY-COLOMB, ERDEY, GUILLORY, HEITMEIER, MILLS AND NEVERS

AN ACT

To enact Part III-B of Chapter 2 of Title 29 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 29:331, relative to the Military Airborne Hazards and Open Burn Pit Registry; to provide for the duties and powers of the secretary of the

Department of Veterans Affairs; to provide terms, conditions and requirements; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

House and House Concurrent Resolutions Reported by Committee

HOUSE RESOLUTION NO. 2—

BY REPRESENTATIVES HENSGENS AND CHAMPAGNE
A RESOLUTION

To urge and request the Department of Transportation and Development to conduct a study and make recommendations relative to a hurricane evacuation route for and economic development of Louisiana Highway 330, south of Abbeville through Henry, as well as providing a turning lane at the major economic development site.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. St. Germain, the resolution was ordered engrossed and passed to its third reading.

HOUSE RESOLUTION NO. 10—

BY REPRESENTATIVE TERRY LANDRY
A RESOLUTION

To urge and request the House Committee on Transportation, Highways, and Public Works to study the Louisiana Department of Transportation and Development's Disadvantaged Business Enterprise program.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Under the rules, the above resolution was ordered engrossed and recommitted to the Committee on House and Governmental Affairs.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 162—

BY REPRESENTATIVE STUART BISHOP
AN ACT

To enact Subpart PP of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.231, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate all or a portion of any refund due to them to The Louisiana Youth Leadership Seminar Corporation; to provide for the administration and disbursement of donated monies; to provide for reporting; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Robideaux, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 183—

BY REPRESENTATIVE HARRIS
AN ACT

To amend and reenact R.S. 6:969.18(A)(2) and to repeal R.S. 6:969.18(G), relative to the Louisiana Motor Vehicle Sales Finance Act; to increase the documentation and compliance fee authorized to be collected by a motor vehicle seller, who may be an extender of credit, for certain transactions; to provide relative to the requirement of disclosure of the documentation and compliance fee; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 183 by Representative Harris

AMENDMENT NO. 1

On page 1, line 5, after "transactions;" insert "to provide relative to the requirement of disclosure of the documentation and compliance fee;"

AMENDMENT NO. 2

On page 2, line 10, after "repealed" and before the "." period, insert "in its entirety"

On motion of Rep. Ponti, the amendments were adopted.

On motion of Rep. Ponti, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 187—

BY REPRESENTATIVE LOPINTO AND SENATOR GARY SMITH
AN ACT

To amend and reenact R.S. 14:286(D), R.S. 40:34(B)(1)(a)(viii), (h)(v), (i), and (j), and R.S. 44:4.1(B)(26), to enact Chapter 1-C of Code Title IV, of Code Book III, of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2718 through 2720.15, R.S. 14:286(E), and Part VII of Chapter 2 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:93 through 97, and to repeal R.S. 9:2713, relative to surrogacy; to provide for amendments to birth certificates; to provide for definitions relative to surrogacy contracts; to provide for genetic surrogacy contracts; to provide for the enforceability of gestational surrogacy contracts; to provide for the parties to a gestational surrogacy contract; to provide for contractual requirements for a gestational surrogacy contract; to provide for a proceeding to approve a gestational surrogacy contract; to provide for the check of the criminal records of the parties to a gestational surrogacy contract; to provide for an order preceding embryo transfer relative to a gestational surrogacy contract; to provide for matters relative to multiple attempts at in utero embryo transfer; to provide for confidentiality of the proceedings relative to a gestational surrogacy contract; to provide for continuing and exclusive jurisdiction to the proceedings relative to a gestational surrogacy contract; to provide for the termination of a gestational surrogacy contract by notice; to provide for remedies for the failure to perform under a gestational surrogacy contract; to provide for the termination of a gestational surrogacy contract and for the effects of divorce, nullity, and death on a gestational surrogacy contract; to provide for the effect of a subsequent marriage of the gestational mother on a gestational surrogacy contract; to provide for a post-birth order; to provide for DNA testing when the child is alleged not to be the child of the

Page 12 HOUSE

11th Day's Proceedings - March 26, 2014

intended parents; to provide for time limitations and finality; to prohibit certain acts relative to a gestational surrogacy contract occurring on or after the effective date; to provide for data collection; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 187 by Representative Lopinto

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 in their entirety and insert the following:

"To amend and reenact R.S. 14:286(D), R.S. 40:34(B)(1)(a)(viii), (h)(v), (i), and (j), and R.S. 44:4.1(B)(26), to enact Chapter 1-C of Code Title IV, of Code Book III, of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2718 through 2720.15, R.S. 14:286(E), and Part VII of Chapter 2 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:93 through 97, and to repeal R.S. 9:2713,"

AMENDMENT NO. 2

On page 1, line 5, after "surrogacy" and before the semi-colon ";", delete "contracts"

AMENDMENT NO. 3

On page 1, at the beginning of line 12, change "a pre-embryo transfer order" to "an order preceding embryo transfer"

AMENDMENT NO. 4

On page 2, line 1, after "gestational" and before "on" change "carrier" to "mother"

AMENDMENT NO. 5

On page 2, line 3, after "finality;" and before "and" insert "to prohibit certain acts relative to a gestational surrogacy contract occurring on or after the effective date; to provide for data collection;"

AMENDMENT NO. 6

On page 2, between lines 14 and 15, insert the following:

"(1) 'Compensation' means a payment of money, objects, services, or anything else having monetary value. Compensation shall not include reimbursement of actual expenses, as provided for in R.S. 9:2720.5(B)(3), to the gestational mother or payment for goods or services incurred by the intended parents as a result of the pregnancy and that would not have been incurred but for the pregnancy."

AMENDMENT NO. 7

On page 2, at the beginning of line 15, change "(1)" to "(2)"

AMENDMENT NO. 8

On page 2, at the beginning of line 16, change "(2)" to "(3)"

AMENDMENT NO. 9

On page 2, at the beginning of line 20, change "(3)" to "(4)"

AMENDMENT NO. 10

On page 2, line 21, after "child" delete the remainder of the line and insert "born as a result of in utero transfer of a human embryo who has no genetic contribution from the gestational mother."

AMENDMENT NO. 11

On page 2, delete lines 22 and 23 in their entirety

AMENDMENT NO. 12

On page 2, at the beginning of line 24, change "(4)" to "(5)", change "Gestational carrier" to "Gestational mother"

AMENDMENT NO. 13

On page 2, at the beginning of line 26, change "(5)" to "(6)"

AMENDMENT NO. 14

On page 3, at the beginning of line 1, change "(6)" to "(7)", and after "means" and before "who" change "married persons" to "a man and a woman who are married to each other in accordance with Louisiana law"

AMENDMENT NO. 15

On page 3, at the beginning of line 2, delete "to be used in assisted reproduction,"

AMENDMENT NO. 16

On page 3, line 3, after "gestational" and before "pursuant" change "carrier" to "mother"

AMENDMENT NO. 17

On page 3, line 17, after "Part," delete the remainder of the line and insert the following:

"an agreement to be known as a gestational surrogacy contract is enforceable only if it is in writing and signed by the gestational mother, her spouse if she is married, and both of the intended parents."

AMENDMENT NO. 18

On page 3, delete lines 18 and 19 in their entirety

AMENDMENT NO. 19

On page 3, line 21, after "transfer," delete the remainder of the line and insert the following:

"and is in accordance with all of the requirements of this Part."

C. No person shall enter into a gestational surrogacy contract for compensation as defined in R.S. 9:2718 or that is not in compliance with all of the requirements of this Part. Any such contract executed in the state of Louisiana or any other state shall be absolutely null and unenforceable in the state of Louisiana as contrary to public policy.

D. No person shall enter into a gestational surrogacy contract that requires the gestational mother to consent to terminate a pregnancy resulting from in utero embryo transfer for any reason, including a prenatal diagnosis of an actual or potential disability,

impairment, genetic variation, or any other health condition or a discrimination based on gender, or for the purposes of the reduction of multiple fetuses. Any such provision in a contract executed in the state of Louisiana or any other state shall be absolutely null and unenforceable in the state of Louisiana as contrary to public policy."

AMENDMENT NO. 20

On page 3, line 23, after "gestational" and before "shall" change "carrier" to "mother"

AMENDMENT NO. 21

On page 3, at the end of line 25, delete the period "." and insert a comma "," and "and no older than thirty-five years of age."

AMENDMENT NO. 22

On page 3, the end of line 28, change "carrier" to "mother"

AMENDMENT NO. 23

On page 4, line 3, after "Agree to" and before "reasonable" delete "submit to"

AMENDMENT NO. 24

On page 4, line 7, after "that" and before "she" insert "prior to executing the gestational surrogacy contract"

AMENDMENT NO. 25

On page 4, line 11, after "(4)" change "Agree" to "Certify", and after "married," and before "relinquish" change "to" to "that she will"

AMENDMENT NO. 26

On page 4, line 14, after "shall" and before the colon ":" insert "be a man and woman who are married to each other in accordance with Louisiana law and shall certify in writing that they"

AMENDMENT NO. 27

On page 4, line 15, after "gestational" and before "has" change "carrier" to "mother"

AMENDMENT NO. 28

On page 4, line 22, after "The" delete the remainder of the line and insert "gestational surrogacy contract shall include a preliminary estimate of anticipated"

AMENDMENT NO. 29

On page 4, at the beginning of line 26, change "carrier" to "mother"

AMENDMENT NO. 30

On page 4, line 28, after "gestational" and before "reside" change "carrier" to "mother"

AMENDMENT NO. 31

On page 5, line 3, after "and" and before "the" insert "each of"

AMENDMENT NO. 32

On page 5, line 5, after "gestational" and before the comma "," change "carrier" to "mother"

AMENDMENT NO. 33

On page 5, line 10, after "endocrinology," delete the remainder of the line and insert the following:

"who has medically treated the intended mother over a period of time such that the physician is competent to reach medical conclusions about the intended mother's medical condition and submits a signed affidavit certifying that in utero embryo transfer with a gestational mother is medically necessary to assist in reproduction."

(5) For purposes of this Section, "medically necessary" means that the intended mother has been diagnosed to be infertile, or to have a physical condition such that a pregnancy would create serious risk of death or substantial and irreversible impairment of a major bodily function beyond the risk customary to pregnancy and child birth."

AMENDMENT NO. 34

On page 5, delete line 11 in its entirety

AMENDMENT NO. 35

On page 5, line 16, after "gestational" and before "and" change "carrier" to "mother"

AMENDMENT NO. 36

On page 5, line 21, after "gestational" and before "and" change "carrier" to "mother"

AMENDMENT NO. 37

On page 5, line 28, after "gestational" and before "and" change "carrier" to "mother"

AMENDMENT NO. 38

On page 6, line 3, after "gestational" and before "and" change "carrier" to "mother"

AMENDMENT NO. 39

On page 6, delete line 13 in its entirety and insert "§2720.5. Order Preceding Embryo Transfer"

AMENDMENT NO. 40

On page 6, line 16, after "the" and before the comma "," change "Pre-Embryo Transfer Order" to "Order Preceding Embryo Transfer"

AMENDMENT NO. 41

On page 6, line 20, after "a" and before "upon" change "Pre-Embryo Transfer Order" to "Order Preceding Embryo Transfer"

AMENDMENT NO. 42

On page 6, line 24, after "child" and before the period "." insert "or the gestational mother"

AMENDMENT NO. 43

On page 6, line 28, after "gestational" and before "will" change "carrier" to "mother"

AMENDMENT NO. 44

On page 7, line 1, after "(a)" and before "medical" change "Reasonable" to "Actual"

Page 14 HOUSE

11th Day's Proceedings - March 26, 2014

AMENDMENT NO. 45

On page 7, line 3, after "gestational" and before "for" change "carrier" to "mother"

AMENDMENT NO. 46

On page 7, line 5, after "(b)" and before "expenses" change "Reasonable" to "Actual"

AMENDMENT NO. 47

On page 7, line 6, after "gestational" and before "prior" change "carrier" to "mother"

AMENDMENT NO. 48

On page 7, line 7, after "(c)" delete the remainder of the line and insert the following:

"Actual lost wages of the gestational mother, not covered under a disability insurance policy, when bed rest has been prescribed for the gestational mother for some maternal or fetal complication of pregnancy and the gestational mother, who is employed, is unable to work during the prescribed period of bed rest."

AMENDMENT NO. 49

On page 7, delete line 8 in its entirety

AMENDMENT NO. 50

On page 7, line 9, after "(d)" and before "travel" change "Reasonable" to "Actual"

AMENDMENT NO. 51

On page 7, at the end of line 10, change "carrier." to "mother."

AMENDMENT NO. 52

On page 7, between lines 10 and 11, insert the following:

"(e) Payment of a judicially sanctioned settlement or judgment rendered in favor of the gestational mother or her heirs as a result of her death, loss of reproductive organs or capability, or any other health complication caused by the in utero embryo transfer, pregnancy or resulting childbirth, miscarriage, or termination of pregnancy."

AMENDMENT NO. 53

On page 7, line 14, after "the" and before "shall" change "Pre-Embryo Transfer Order" to "Order Preceding Embryo Transfer"

AMENDMENT NO. 54

On page 8, line 7, after "gestational" and before "or" change "carrier" to "mother"

AMENDMENT NO. 55

On page 8, at the end of line 10, delete "Pre-" and insert "Order Preceding Embryo Transfer"

AMENDMENT NO. 56

On page 8, delete line 11 in its entirety

AMENDMENT NO. 57

On page 8, line 12, after "gestational" and before "nor" change "carrier" to "mother"

AMENDMENT NO. 58

On page 8, line 16, after "gestational" and before the comma "," change "carrier" to "mother" and after "terminate" and before "gestational" change "a" to "an enforceable"

AMENDMENT NO. 59

On page 8, line 17, after "valid" and before "except" change "Pre-Embryo Transfer Order" to "Order Preceding Embryo Transfer"

AMENDMENT NO. 60

On page 9, at the beginning of line 1, change "the Pre-Embryo Transfer Order" to "the Order Preceding Embryo Transfer"

AMENDMENT NO. 61

On page 9, line 8, after "a" and before the comma "," change "Pre-Embryo Transfer Order" to "Order Preceding Embryo Transfer"

AMENDMENT NO. 62

On page 9, line 9, after "gestational" and before "does" change "carrier" to "mother"

AMENDMENT NO. 63

On page 9, line 13, after "gestational" and before "within" change "carrier" to "mother"

AMENDMENT NO. 64

On page 9, line 15, after "gestational" and before the comma "," change "carrier" to "mother"

AMENDMENT NO. 65

On page 9, line 20, after "gestational" and before the comma "," change "carrier" to "mother"

AMENDMENT NO. 66

On page 9, line 23, after "gestational" and before "within" change "carrier" to "mother"

AMENDMENT NO. 67

On page 10, at the beginning of line 12, change "carrier" to "gestational mother"

AMENDMENT NO. 68

On page 12, delete line 1 in its entirety and insert the following:

"Section 3. R.S. 14:286(D) is hereby amended and reenacted and R.S. 14:286(E) is hereby enacted to read as follows:

§286. Sale of minor children; penalties

* * *

D.(1) It shall be unlawful for any person to enter into, induce, arrange, procure, knowingly advertise for, or otherwise assist in a gestational surrogacy contract, whether written or unwritten, that is not in compliance with the requirements provided for in R.S. 9:2718, et seq.

(2) No person acting on behalf of the parties to a gestational surrogacy contract shall make or agree to make any disbursements in connection with the gestational surrogacy contract other than the following:

(a) Payment of actual medical expenses, including hospital, testing, nursing, midwifery, pharmaceutical, travel, or other similar expenses, incurred by the gestational mother for prenatal care and those medical and hospital expenses incurred incident to birth.

(b) Payment of actual expenses incurred for mental health counseling services provided to the gestational mother prior to the birth and up to six months after birth.

(c) Payment of actual lost wages of the gestational mother, not covered under a disability insurance policy, when bed rest has been prescribed for the gestational mother for some maternal or fetal complication of pregnancy and the gestational mother, who is employed, is unable to work during the prescribed period of bed rest.

(d) Payment of actual travel costs related to the pregnancy and delivery, court costs, and attorney fees incurred by the gestational mother.

Ð-E. A person convicted of violating any of the provisions of this Section shall be punished by a fine not to exceed fifty thousand dollars or imprisonment with or without hard labor for not more than ten years, or both.

Section 4. Part VII of Chapter 2 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:93 through 97, is hereby enacted to read as follows:

PART VII. GESTATIONAL SURROGACY DATA COLLECTION

§93. Gestational surrogacy data collection; purpose

The purpose of this Part shall be the compilation of relevant maternal life and health factors and data concerning gestational surrogacy to the extent that it is authorized by law.

§94. Forms for collection of data

The state registrar shall prescribe forms for the collection of information and statistics with respect to enforceable gestational surrogacy contracts. Such forms shall require but not be limited to the following information:

(1) The age, marital status, and state and parish of domicile of the gestational mother.

(2) The parish in which the in utero embryo transfer took place.

(3) The full name and address of the physician or physicians performing or attending to the following phases of the gestational surrogacy:

(a) In utero embryo transfer.

(b) Prenatal and postnatal care.

(c) Birth.

(d) Miscarriage.

(e) Induced abortion.

(4) The age, marital status, and state and parish of domicile of the intended mother and father.

(5) The medical reason necessitating the gestational surrogacy.

(6) The medical procedures employed in the birth, miscarriage, or termination of pregnancy for medical emergency as defined by R.S. 40:1299.35.12.

(7) The length and weight of the child born as a result of gestational surrogacy.

(8) The length and weight of an unborn child miscarried after the initiation of a gestational surrogacy.

(9) Other significant conditions or health complications of the fetus and mother.

(10) The results of pathological examinations of any unborn child who died as a result of pregnancy complications or termination incidental to a gestational surrogacy.

§95. Completion of forms; filing with vital records registry

The physician performing the in utero embryo transfer or termination of the pregnancy by birth, miscarriage, or abortion shall provide the information required by the provisions of R.S. 40:94. Such completed forms shall be transmitted by the physician to the vital records registry within fifteen days of the performance of the medical procedures.

§96. Failure to complete form; penalty

The Department of Health and Hospitals shall promulgate by rule the penalty for the failure to complete the forms as provided in R.S. 40:95.

§97. Confidentiality

The vital statistics records required by this Part and the identities of the parties to a gestational surrogacy contract shall be confidential and shall not be subject to disclosure, release, or inspection except upon application to a competent court and in conformity with the applicable requirements of confidentiality applicable to adoptions in the Children's Code. The reporting of the data for public health purposes shall redact any identifying information and any public report shall indicate patient numbers as assigned pursuant to rules promulgated by the Department of Health and Hospitals.

Section 5. R.S. 44:4.1(B)(26) is hereby amended and reenacted to read as follows:

§4.1. Exceptions

* * *

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * *

(26) R.S. 40:3.1, 31.14, 31.27, 39.1, 41, 73, 94, 95, 526, 528, 1007, 1098.8, 1232.7, 1299.6, 1299.35.10, 1299.44, 1299.85, 1299.87, 1300.14, 1300.54, 1379.1.1(D), 1379.3, 2009.8, 2009.14, 2010.5, 2017.9, 2018, 2019, 2020, 2106, 2109.1, 2138, 2532, 2845.1

* * *

Section 6. R.S. 9:2713 is hereby repealed.

Section 7. The provisions of Section 3 of this Act shall not apply to contracts entered into prior to the effective date of this Act."

On motion of Rep. Abramson, the amendments were adopted.

Page 16 HOUSE

11th Day's Proceedings - March 26, 2014

On motion of Rep. Abramson, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 194— BY REPRESENTATIVE ROBIDEAUX AN ACT

To enact Subpart PP of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.231, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate all or a portion of any refund due to them to Louisiana State Troopers Charities; to provide for the administration and disbursement of donated monies; to provide for reporting; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Robideaux, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 218— BY REPRESENTATIVE TALBOT AN ACT

To amend and reenact Code of Civil Procedure Article 3601(A) and to repeal R.S. 13:4062, 3 relative to special civil proceedings; to provide for injunctions and temporary restraining orders against the state and political subdivisions; to provide for filing and notice of an affidavit; to provide for waiver of certain requirements; to provide for hearings by certain legislative committees; to provide for hearings on injunctions under certain circumstances; to provide for the burden of proof; to provide for the traversal of affidavits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 218 by Representative Talbot

AMENDMENT NO. 1

On page 1, line 2, change "3601(A)" to "1878"

AMENDMENT NO. 2

On page 1, line 3, after "proceedings;" delete the remainder of the line and delete lines 4 through 8 in their entirety and insert the following:

"to provide for declaratory judgments; to provide for expedited hearings; to provide for the effect of supplemental proceedings on the hearing for a declaratory judgment; to provide for proceedings for temporary restraining orders, injunctions, and mandamus relative to the expenditure of state funds; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 10, change "3601(A)" to "1878"

AMENDMENT NO. 4

On page 1, delete lines 12 through 20 in their entirety and insert the following:

"Art. 1878. Supplemental relief; expedited hearing for constitutional determination; effect of pendency of other proceedings

A. Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper. The application therefor shall be by petition to a court having jurisdiction to grant the relief. If the application is considered sufficient, the court, on reasonable notice, shall require any adverse party whose rights have been adjudicated by the declaratory judgment or decree, to show cause why further relief should not be granted forthwith.

B. In any action or proceeding seeking a declaratory judgment as to the constitutionality of the expenditure of state funds, the court shall set the matter with preference and proceed to hear and determine the matter as expeditiously as the ends of justice may require, notwithstanding resolution of a pending petition for injunction sought pursuant to Article 3601 or a petition for mandamus sought pursuant to Article 3862."

AMENDMENT NO. 5

On page 2, delete lines 1 through 29 in their entirety and on page 3, delete lines 1 through 6 in their entirety

On motion of Rep. Abramson, the amendments were adopted.

On motion of Rep. Abramson, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 230— BY REPRESENTATIVE PONTI AN ACT

To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(i), relative to the Department of Economic Development, including provisions to provide for the re-creation of the Department of Economic Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 230 by Representative Ponti

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 49:191(7)(a)" to "R.S. 49:191(7)"

AMENDMENT NO. 2

On page 2, line 1, change "R.S. 49:191(7)(a)" to "R.S. 49:191(7)"

On motion of Rep. Ponti, the amendments were adopted.

On motion of Rep. Ponti, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 248— BY REPRESENTATIVE PONTI AN ACT

To repeal R.S. 51:2316, relative to the position of coordinator of the Louisiana Economic Development Corporation; to repeal the position of coordinator; and to provide for an effective date.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Ponti, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 254—

BY REPRESENTATIVE LORUSSO

AN ACT

To enact R.S. 41:1224.1, relative to leases of certain marina property operated by Jefferson Parish; to exempt such leases from general requirements for advertising and bidding; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 254 by Representative Lorusso

AMENDMENT NO. 1

On page 1, at the beginning of line 12, delete "facilities" and insert in lieu thereof "boat slips"

On motion of Rep. St. Germain, the amendments were adopted.

On motion of Rep. St. Germain, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 267—

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 39:551.1 and 997(A) and R.S. 51:1157.1, relative to bond insurance; to remove the Board of Commerce and Industry and the secretary of the Department of Economic Development from the process of bond approval; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Robideaux, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 300—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Civil Code Articles 112(B)(2) and 113, relative to spousal support; to provide for consideration of an interim allowance or final child support obligation in the determination of interim and final spousal support; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Abramson, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 319—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 12:1501, 1502(A), 1601 through 1604, and 1701, R.S. 44:4.1(B)(5), R.S. 49:222(B)(1) and (6), and Code of Civil Procedure Article 611, to enact R.S. 12:1-101 through 1-1704, and 1702 through 1704, and to repeal R.S. 12:1 through 178 and 1605 through 1607, relative to corporations; to provide for general provisions; to provide for incorporation; to provide for the purposes and powers of corporations; to provide for names; to provide for offices and agents; to provide for shares and distributions; to provide with respect to shareholders; to provide with respect to directors and officers; to provide for domestication and conversion; to provide for the amendment of articles of incorporation and bylaws; to provide for mergers and share exchanges; to provide for the disposition of assets; to provide for appraisal rights; to provide for dissolution; to provide for foreign corporations; to provide for records and reports; to provide for transition provisions; to provide for the applicability of Chapter 24 of Title 12 of the Louisiana Revised Statutes of 1950; to provide for the conversion of business organizations; to provide for fees; to provide for derivative actions; to provide for the continuous revision of Title 12 of the Louisiana Revised Statutes of 1950; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 319 by Representative Foil

AMENDMENT NO. 1

On page 209, line 18, after "shareholder" and before "on whose" insert "or voting trust beneficial owner"

AMENDMENT NO. 2

On page 209, line 24, after "shareholder" and before "may assert" insert "and voting trust beneficial owner"

AMENDMENT NO. 3

On page 210, line 2, after "shareholder" and before the period "." insert "or voting trust beneficial owner"

On motion of Rep. Ponti, the amendments were adopted.

On motion of Rep. Ponti, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 355—

BY REPRESENTATIVE DANAHAY

AN ACT

To amend and reenact R.S. 26:354(I) and 492(A) and to repeal Part IV of Chapter 17 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1471, relative to gallage taxes; to provide with respect to the reporting and payment of certain state and local taxes by dealers of beverages of certain alcoholic content; to provide for the approval of an application for a waiver of penalties imposed on a dealer for failure to timely report and pay the tax; to provide for authority of the secretary of the Department of Revenue; to provide relative to the jurisdiction of the Board of Tax Appeals regarding certain alcoholic beverage permits; to direct the Louisiana State Law Institute to redesignate and rename certain

Page 18 HOUSE

11th Day's Proceedings - March 26, 2014

provisions of current law; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Robideaux, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 357—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Code of Civil Procedure Article 3945(F), relative to incidental orders of temporary child custody; to provide for allocation of the minor child's time between parents when an ex parte order is denied; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Abramson, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 419—

BY REPRESENTATIVE MONToucET

AN ACT

To enact R.S. 38:215.1, relative to maintenance of public drainage; to prohibit refusal of access to public drainage for maintenance purposes; to provide relative to a determination of the right of access by a court of competent jurisdiction; to provide for an award of court costs and attorney fees; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 419 by Representative Montoucet

AMENDMENT NO. 1

On page 1, line 11, after "No" delete "person" and insert "landowner" and after "grant" insert "reasonable surface"

AMENDMENT NO. 2

On page 1, at the end of the line 13, delete the period "." and insert "when such access is within the normal course of the entity's duties and notice and an opportunity for a hearing has been given to the landowner."

AMENDMENT NO. 3

On page 1, after line 19, insert the following:

"D. For the purposes of this Section, "reasonable surface access" means the utilization of existing ingress and egress points on a landowner's property so as not to disrupt the activities of the landowner or cause damage to the property."

On motion of Rep. St. Germain, the amendments were adopted.

On motion of Rep. St. Germain, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 484—

BY REPRESENTATIVE SIMON

AN ACT

To amend and reenact R.S. 32:403.3, relative to the deaf and hard of hearing; to provide for a deaf or hard of hearing designation on the registration of a motor vehicle; to authorize the secretary of the Department of Public Safety and Corrections to promulgate rules and regulations to implement the deaf or hard of hearing designation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. St. Germain, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 588—

BY REPRESENTATIVE CARTER

A JOINT RESOLUTION

Proposing to amend Article VIII, Sections 5(B)(1), 6(B)(1), 7(B)(1), and 7.1(B)(1) of the Constitution of Louisiana and to add Article VIII, Section 8(E) of the Constitution of Louisiana, relative to governance of postsecondary education; to provide that members of the postsecondary education management boards and the Board of Regents shall have qualifications as provided by law; to provide relative to qualifications for certain such boards; to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

On motion of Rep. Abramson, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 602—

BY REPRESENTATIVES ABRAMSON AND LEGER

AN ACT

To enact Subpart PP of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.231, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate all or a portion of any refund due to them to The Lighthouse for the Blind in New Orleans, Inc.; to provide for the administration and disbursement of donated monies; to provide for reporting; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Robideaux, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 656—

BY REPRESENTATIVE MILLER

AN ACT

To amend and reenact R.S. 19:3 and 104, relative to expropriation; to prohibit the expropriation of certain property; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 656 by Representative Miller

AMENDMENT NO. 1

On page 1, at the end of line 10, add the following:

"The provisions of this Subsection shall not apply to any expropriating authority authorized by R.S. 19:2, which seeks to expropriate needed property that is subject to a mortgage. The provisions of R.S. 19:11 shall apply in such cases."

On motion of Rep. Abramson, the amendments were adopted.

On motion of Rep. Abramson, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 814—

BY REPRESENTATIVE JAMES

AN ACT

To amend and reenact R.S. 46:446, relative to recovery of assistance and medical payments made by medical assistance programs; to provide for definitions; to confer upon Medicaid managed care organizations certain rights of recovery; to provide relative to notice, pleadings, compromise, and prescription in cases of third party liability for injury, illness, or death; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Abramson, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 840—

BY REPRESENTATIVE NANCY LANDRY

AN ACT

To amend and reenact Code of Civil Procedure Article 74.2(E), relative to forum non conveniens; to provide for the transfer of certain divorce proceedings; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 840 by Representative Nancy Landry

AMENDMENT NO. 1

On page 1, line 17, after "proceeding" and before the period "." insert a comma "," and "provided venue would have been proper under Article 3941 of this Code"

On motion of Rep. Abramson, the amendments were adopted.

On motion of Rep. Abramson, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 841—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 12:1301(A)(18) and 1316 and to enact R.S. 12:1318(E) and 1370, relative to limited liability companies; to provide for the definition of person as it relates to limited liability companies; to provide relative to voting of managers; to provide relative to voting by proxy; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 841 by Representative Leger

AMENDMENT NO. 1

On page 1, line 2, after "amend" insert "and reenact"

AMENDMENT NO. 2

On page 2, line 15, after "(3)" insert "(a)"

AMENDMENT NO. 3

On page 2, line 18, delete "shall expressly be provided therein;" and insert "is expressly provided."

AMENDMENT NO. 4

On page 2, line 18, change "but in" to "In"

AMENDMENT NO. 5

On page 2, line 19, after "years." insert "(b)"

AMENDMENT NO. 6

On page 2, line 20, after "notice" delete "thereof"

AMENDMENT NO. 7

On page 2, line 23, after "face" delete the comma ","

AMENDMENT NO. 8

On page 2, line 24, after "meeting" delete the comma ","

AMENDMENT NO. 9

On page 2, line 26, after "persons" insert a comma ","

AMENDMENT NO. 10

On page 3, line 10, after "(b)" insert "(i)"

AMENDMENT NO. 11

On page 3, line 15, after "transmission" change the semicolon ";" to a period "." and change "however, any" to "(ii) Any"

AMENDMENT NO. 12

On page 3, line 20, after "determination" delete the comma ","

AMENDMENT NO. 13

Page 20 HOUSE

11th Day's Proceedings - March 26, 2014

On page 3, line 22, after "transmission" delete the comma "," and after "Subsection" delete the comma ","

AMENDMENT NO. 14

On page 3, line 23, after "transmission" delete the comma ","

AMENDMENT NO. 15

On page 3, line 24, after "used" change the semicolon ";" to a period "." and change "however, such" to "Such"

AMENDMENT NO. 16

On page 5, line 2, after "shares" delete "so"

AMENDMENT NO. 17

On page 5, line 9, after "voting" delete "the"

AMENDMENT NO. 18

On page 5, line 22, after "owners" delete "thereof" and insert "of the shares"

AMENDMENT NO. 19

On page 5, line 26, after "company" delete the comma "," and "and it" and insert a period "." and "The duplicate"

AMENDMENT NO. 20

On page 5, line 27, after "member" delete the comma ","

On motion of Rep. Ponti, the amendments were adopted.

On motion of Rep. Ponti, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 863—

BY REPRESENTATIVES DANAHAY, JOHNSON, RITCHIE, ROBIDEAUX, WHITNEY, AND WILLMOTT

AN ACT

To amend and reenact R.S. 36:801.1(A) and R.S. 47:302(K)(7), 337.2(D), 337.45(A)(1) and (B), 337.48(A), 337.51(A), (B), and (C)(2), 337.53(C), 337.54, 337.63(A)(1) and (2), (B), and (D), 337.67(B)(3), (C)(3), and (D)(2), 337.77(F), 337.81(A)(2) and (C), 337.86(E)(2)(a), 337.101(A)(2)(a), 1401, 1402, 1403(A) and (B), 1410, 1413, 1431, 1432, 1436, 1437, and 1451, and R.S. 49:967(A) and 968(B)(9), to enact R.S. 36:53(J) and R.S. 47:337.2(A)(1)(c), 337.77(G), 337.81.1, 337.86(E)(1)(d), 1407(3), 1414(E), 1417, and 1418, and to repeal R.S. 36:4(B)(1)(p) and R.S. 47:337.51.1 and 337.101(A)(2)(c), (B), and (C), relative to disputes concerning taxes, fees, and claims against the state and its political subdivisions; to provide relative to the composition, compensation, procedures, and jurisdiction of the Board of Tax Appeals; to provide for the dedication of certain revenues for support of the board; to transfer the board to the Department of State Civil Service; to provide with respect to procedures for collection and adjudication of local sales and use tax; to provide for redetermination of certain local sales and use tax assessments and overpayments; to authorize the transfer of certain cases to and from the board and certain courts; to provide for definitions; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 863 by Representative Danahay

AMENDMENT NO. 1

On page 1, at the beginning of line 6, after "1451," insert "and R.S. 49:967(A) and 968(B)(9)," and after "R.S. 47:337.2(A)(1)(c)," insert "337.77(G),"

AMENDMENT NO. 2

On page 1, at the beginning of line 7, after "1414(E)," insert "1417,"

AMENDMENT NO. 3

On page 2, at the beginning of line 10, after "be a" delete "local tax division" and insert "Local Tax Division"

AMENDMENT NO. 4

On page 2, line 22, after "R.S. 47:337.2(A)(1)(c)," insert "337.77(G),"

AMENDMENT NO. 5

On page 2, line 23, after "1414(E)," insert "1417,"

AMENDMENT NO. 6

On page 3, line 3, after "distributed" insert "from the current collections of the tax"

AMENDMENT NO. 7

On page 3, line 23, after "assessments" and before the comma "," insert "or denials or inaction on a refund claim"

AMENDMENT NO. 8

On page 6, line 19, after "R.S. 47:337.63 or" and before the comma "," delete "337.64" and insert a comma "," and "pursued an alternative remedy in accordance with R.S. 47:337.64"

AMENDMENT NO. 9

On page 9, at the end of line 19, insert a comma ","

AMENDMENT NO. 10

On page 9, at the beginning of line 21, insert "at that time"

AMENDMENT NO. 11

On page 11, at the end of line 22, delete the comma "," and delete line 23 in its entirety, and from the beginning of line 24, delete "administered by the collector" and insert the following:

"to determine whether the taxpayer owes any other liability for the same type of tax"

AMENDMENT NO. 12

On page 12, between lines 13 and 14, insert the following:

"G. A claim for a refund or credit in a properly addressed envelope with sufficient postage delivered by the United States Postal Service is deemed filed by the taxpayer and received by the collector on the date postmarked by the United States Postal Service. Additionally, a claim for refund or credit is deemed filed by the taxpayer and received by the collector through any means provided

for by any regulation promulgated pursuant to R.S. 47:337.97 through 337.100."

AMENDMENT NO. 13

On page 13, line 3, after "ordering the" delete "refunding" and insert "refund" and after "overpayment or" insert "ordering"

AMENDMENT NO. 14

On page 13, line 4, after "interest," delete "and penalty" and insert "penalty, attorney fees, and other amounts"

AMENDMENT NO. 15

On page 14, line 1, after "calendar" change "day" to "days"

AMENDMENT NO. 16

On page 17, at the beginning of line 12, after "A." insert "(1)"

AMENDMENT NO. 17

On page 17, line 13, after "Appeals." insert

"(2)"

AMENDMENT NO. 18

On page 17, between lines 15 and 16, insert the following:

"(3) The member appointed pursuant to R.S. 47:1402(D) shall be the hearing judge of the Local Tax Division of the board. For the purposes of the Local Tax Division, the judge shall exercise all jurisdiction, authority, and powers of the board and its chairman, including the hearing of cases to be adjudicated in the division and the rendering of orders and judgments in such cases. The remainder of the board may temporarily exercise these functions during any vacancy in this appointment, but may only hear and render judgment in a case in the division if this appointment remains vacant for more than ninety days."

AMENDMENT NO. 19

On page 17, at the beginning of line 27, delete "case" and insert "pre-trial matter"

AMENDMENT NO. 20

On page 18, between lines 4 and 5, insert the following:

"(6)(a)(i) Upon the joint motion of all parties in any matter, or pursuant to an election made by the local collector in accordance with the provisions of Subparagraph (b) of this Paragraph, a case filed with the board shall be heard in the board's Local Tax Division.

(ii) A case designated to be heard in the Local Tax Division shall be adjudicated as provided for in RS. 47:1403(A)(3).

(iii) A case designated to be heard in the Local Tax Division may thereafter instead be heard and adjudicated by the entire board only upon the joint motion of all parties. However, any board member may exercise the powers granted in R.S. 47:1408, and the chairman may issue other non-dispositive orders concerning cases in the division upon the joint motion of all parties or, in the absence of and at the direction of the hearing judge.

(b) A local collector may elect in advance to have all cases against that local collector heard in the Local Tax Division. Such election shall be made, or repealed, in the form of an affidavit executed by the local collector. The affidavit shall be effective only

for those cases filed with the board against that local collector at least ninety days after the filing of the affidavit with the board's secretary-clerk. The secretary-clerk shall publish a list on the board's website identifying the respective dates on which any such affidavits were filed."

AMENDMENT NO. 21

On page 18, line 18, after "B.(1)" delete "In any case against the state collector, the" and insert "The"

AMENDMENT NO. 22

On page 18, delete lines 21 and 22 in their entirety and insert the following:

"(2) Upon the request of any party, the board shall issue written reasons in addition to its judgment in a case."

AMENDMENT NO. 23

On page 19, between lines 13 and 14, insert the following:

"§1417. Recusal; board members

A. In accordance with the provisions of the Louisiana Code of Civil Procedure, a board member may voluntarily recuse himself and withdraw from any proceeding in which he cannot accord a fair and impartial hearing or consideration.

B.(1) Any party may also request the recusal of a board member by filing a motion for recusal promptly upon learning of the basis for the disqualification, stating with particularity the grounds upon which it is claimed that a fair and impartial hearing cannot be accorded.

(2) The issue shall be determined promptly by the remaining board members in accordance with the rules of the Louisiana Code of Civil Procedure concerning the recusal of district judges.

C.(1) Upon the entry of an order of recusal concerning a board member or members, the remaining board members may hear and decide the case, or the chairman may assign the case to be heard in accordance with R.S. 47:1403(B)(2), and the board member acting as hearing judge shall render the judgment of the board.

(2) If all board members are recused, the chairman shall promptly notify the chief justice of the Louisiana Supreme Court, who shall appoint a retired judge to adjudicate the case as a hearing judge ad hoc for the board and to render the judgment of the board in the matter. For purposes of this Subsection, any person who has held office as a judge pursuant to Article V, Section 22 of the Constitution of Louisiana may be appointed. The retired judge shall be compensated pursuant to R.S. 11:1384 from funds available to the board, and these expenses may be assessed as costs.

(3) Upon entry of an order of recusal concerning the board member presiding over a case in the Local Tax Division, the case shall be reassigned to be heard in accordance with Paragraph (2) of this Subsection, or, upon a joint motion of all parties it may either be heard pursuant to Paragraph (1) of this Subsection or be transferred to the district court of proper venue.

D. Notwithstanding any provision of law to the contrary, including Chapter 15 of Title 42 of the Revised Statutes of 1950, as amended, if any member of the board is recused from a case pursuant to this Section, he may continue to serve as a member of the board while the remainder of the board adjudicates a taxpayer's appeal or claim, but the board member shall have no participation or involvement in any case in which he is recused."

Page 22 HOUSE

11th Day's Proceedings - March 26, 2014

AMENDMENT NO. 24

On page 21, line 17, after "taxpayer" insert "or collector"

AMENDMENT NO. 25

On page 22, line 6, after "a" insert "sales and use"

AMENDMENT NO. 26

On page 24, at the beginning of line 2, delete "Whenever" and insert "Except as otherwise provided by law, whenever"

AMENDMENT NO. 27

On page 24, at the beginning of line 12, after "Section 3." insert the following:

"R.S. 49:967(A) and 968(B)(9) are hereby amended and reenacted to read as follows:

§967. Exemptions from provisions of Chapter

A. Chapter 13 of Title 49 of the Louisiana Revised Statutes of 1950 shall not be applicable to the Board of Tax Appeals, the Department of Revenue, with the exception of the Louisiana Tax Commission that shall continue to be governed by this Chapter in its entirety, unless otherwise specifically provided by law, and the administrator of the Louisiana Employment Security Law; however, the provisions of R.S. 49:951(2), (4), (5), (6), and (7), 952, 953, 954, 954.1, 968, 969, and 970 shall be applicable to such ~~board~~ department; and administrator.

* * *

§968. Review of agency rules; fees

* * *

B. Prior to the adoption, amendment, or repeal of any rule or the adoption, increasing, or decreasing of any fee, the agency shall submit a report relative to such proposed rule change or fee adoption, increase, or decrease to the appropriate standing committees of the legislature and the presiding officers of the respective houses as provided in this Section. The report shall be so submitted on the same day the notice of the intended action is submitted to the Louisiana Register for publication in accordance with R.S. 49:953(A)(1). The report shall be submitted to each standing committee electronically if electronic means are available. If no electronic means are available, the report shall be submitted at the committee's office in the state capitol by certified mail with return receipt requested or by messenger who shall provide a receipt for signature. The electronic receipt by the committee, return receipt or the messenger's receipt shall be proof of receipt of the report by the committee.

* * *

(9) The Department of Civil Service and all of the agencies made a part of it shall submit the report to the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs; however, the Board of Tax Appeals shall submit the report to the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs.

* * *

Section 4."

AMENDMENT NO. 28

On page 24, at the beginning of line 14, change "Section 4." to "Section 5."

AMENDMENT NO. 29

On page 24, at the beginning of line 21, change "Section 5." to "Section 6."

AMENDMENT NO. 30

On page 25, at the beginning of line 1, change "Section 6." to "Section 7."

AMENDMENT NO. 31

On page 25, between lines 7 and 8, insert the following:

"Section 8. The one hundred eighty day deadline to appeal a local collector's inaction on a refund claim to the Board of Tax Appeals pursuant to R.S. 47:81(A)(2) shall not restrict any appeal filed with the Board of Tax Appeals prior to January 1, 2015.

Section 9. Any case filed with the Board of Tax Appeals against a local collector prior to January 1, 2015, shall be heard in the board's Local Tax Division pursuant to the provisions of R.S. 47:1403(6)(a) unless the local collector in its initial answer to the taxpayer's petition prays to have the case heard by the entire board."

AMENDMENT NO. 32

On page 25, at the beginning of line 8, change "Section 7." to "Section 10."

AMENDMENT NO. 33

On page 25, at the beginning of line 10, change "Section 8." to "Section 11."

AMENDMENT NO. 34

On page 25, line 11, after "Bill No." delete "___" and insert "798"

AMENDMENT NO. 35

On page 25, at the end of line 12, insert the following:

"If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2014, or on the day following such approval by the legislature, whichever is later."

On motion of Rep. Robideaux, the amendments were adopted.

On motion of Rep. Robideaux, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 868—

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 40:1749.12(10), 1749.13(B)(5), 1749.14(C)(1)(a), 1749.20(A)(2) and (3) and (B) and to enact R.S. 40:1749.20(A)(3)(e), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to add to the definition of "mark by time"; to allow for mutual agreements to extend time periods between notification and activity; to allow the use of supplemental offset markings; to provide relative to penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Ponti, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 994—

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 51:2395(A)(7), relative to the Louisiana Business and Industrial Development Company Act; to provide an exception for certain financing requirements of entities licensed in this state to transact business as a business and industrial development company; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 994 by Representative Ponti

AMENDMENT NO. 1

On page 1, at the beginning of line 16, change "(1)" to "(a)" and after "state" delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the beginning of line 17, delete "licensees,"

AMENDMENT NO. 3

On page 1, at the end of line 17, insert the following:

"A licensee may count financing assistance provided by a licensed affiliate or licensed affiliates in this state towards the satisfaction of the requirements of this Subparagraph."

AMENDMENT NO. 4

On page 1, line 18, change "(2)" to "(b)"

On motion of Rep. Ponti, the amendments were adopted.

On motion of Rep. Ponti, the bill, as amended, was ordered engrossed and passed to its third reading.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 830—

BY REPRESENTATIVE ADAMS

AN ACT

To amend and reenact R.S. 26:351(2)(a) and (4) and to enact R.S. 26:351(9), relative to the size of containers for beverages of high alcoholic content; to require certain container sizes for certain alcoholic beverages sold or shipped in the state; to provide relative to the number of containers in each shipping case or container; to exempt certain products; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Montoucet
Abramson	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Norton
Arnold	Guinn	Ortego
Badon	Harris	Pearson
Barras	Harrison	Pierre
Barrow	Hazel	Ponti
Berthelot	Henry	Pope
Billiot	Hensgens	Price
Bishop, S.	Hodges	Pugh
Bishop, W.	Hoffmann	Pylant
Broadwater	Hollis	Reynolds
Brossett	Honore	Ritchie
Brown	Howard	Robideaux
Burford	Hunter	Schexnayder
Burns, H.	Huval	Schroder
Burns, T.	Ivey	Seabough
Carmody	Jackson, K.	Shadoin
Carter	James	Simon
Champagne	Johnson	Smith
Chaney	Jones	St. Germain
Connick	Lambert	Stokes
Cox	Landry, N.	Talbot
Cromer	Landry, T.	Thierry
Danahay	LeBas	Whitney
Dove	Leger	Williams, P.
Fannin	Leopold	Willmott
Foil	Lorusso	Woodruff
Franklin	Mack	
Gaines	Miller	
Total - 91		

NAYS

Total - 0

ABSENT

Adams	Havard	Richard
Burrell	Hill	Thibaut
Dixon	Jefferson	Thompson
Edwards	Lopinto	Williams, A.
Geymann	Morris, Jim	
Total - 14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 860—

BY REPRESENTATIVE MACK

AN ACT

To enact R.S. 47:508(A)(3), relative to the registration of certain commercial vehicles and trailers; to establish the expiration date and renewal period for the registration of certain vehicles and trailers; and to provide for related matters.

Read by title.

Rep. Mack moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

Page 24 HOUSE

11th Day's Proceedings - March 26, 2014

YEAS

Mr. Speaker	Gisclair	Montoucet
Abramson	Greene	Moreno
Anders	Guillory	Morris, Jay
Arnes	Guinn	Norton
Arnold	Harris	Ortego
Badon	Harrison	Pearson
Barras	Hazel	Pierre
Barrow	Henry	Ponti
Berthelot	Hensgens	Pope
Billiot	Hill	Price
Bishop, S.	Hodges	Pugh
Bishop, W.	Hoffmann	Pylant
Broadwater	Hollis	Reynolds
Brossett	Honore	Ritchie
Brown	Howard	Robideaux
Burford	Hunter	Schexnayder
Burns, H.	Huval	Schroder
Burns, T.	Ivey	Seabaugh
Carmody	Jackson, K.	Shadoin
Carter	James	Simon
Champagne	Jefferson	Smith
Chaney	Johnson	St. Germain
Connick	Jones	Stokes
Cox	Lambert	Talbot
Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dove	LeBas	Whitney
Fannin	Leger	Williams, A.
Foil	Leopold	Williams, P.
Franklin	Lorusso	Willmott
Gaines	Mack	
Garofalo	Miller	
Total - 94		

NAYS

Total - 0

ABSENT

Adams	Geymann	Richard
Burrell	Havard	Thompson
Dixon	Lopinto	Woodruff
Edwards	Morris, Jim	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Mack moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 882— BY REPRESENTATIVE CHAMPAGNE AN ACT

To enact R.S. 1:55(E)(1)(f), relative to legal holidays; to establish the Friday of the Sugar Cane Festival as a legal holiday in the parish of Iberia; to authorize the clerk of court of the Sixteenth Judicial District Court to close the clerk's office in observance of the legal holiday; to provide for an exception; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 882 by Representative Champagne

AMENDMENT NO. 1

On page 1, line 14, following "Court" and before "to" insert "in the parish of Iberia"

On motion of Rep. Barrow, the amendments were adopted.

Rep. Champagne moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Lorusso
Abramson	Garofalo	Mack
Anders	Gisclair	Miller
Arnes	Greene	Montoucet
Arnold	Guillory	Moreno
Badon	Guinn	Morris, Jay
Barras	Harris	Ortego
Barrow	Harrison	Pearson
Berthelot	Havard	Pierre
Billiot	Hazel	Ponti
Bishop, S.	Henry	Pope
Bishop, W.	Hensgens	Price
Broadwater	Hill	Pugh
Brossett	Hodges	Pylant
Brown	Hoffmann	Reynolds
Burford	Hollis	Ritchie
Burns, H.	Honore	Robideaux
Burns, T.	Howard	Schexnayder
Burrell	Hunter	Schroder
Carmody	Huval	Seabaugh
Carter	Ivey	Shadoin
Champagne	Jackson, K.	Smith
Chaney	James	St. Germain
Connick	Jefferson	Stokes
Cox	Johnson	Talbot
Cromer	Jones	Thibaut
Danahay	Lambert	Thierry
Dixon	Landry, N.	Whitney
Dove	Landry, T.	Williams, A.
Fannin	LeBas	Williams, P.
Foil	Leger	Willmott
Franklin	Leopold	Woodruff
Total - 96		

NAYS

Total - 0

ABSENT

Adams	Lopinto	Richard
Edwards	Morris, Jim	Simon
Geymann	Norton	Thompson
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Champagne moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 898—

BY REPRESENTATIVE GAINES

AN ACT

To amend and reenact R.S. 34:2471(A)(introductory paragraph), (6), (7), and (8) and to enact R.S. 34:2471(A)(9), relative to the Port of South Louisiana Commission; to increase the membership on the commission; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Gaines, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Gaines gave notice of his intention to call House Bill No. 898 from the calendar on Wednesday, April 2, 2014.

HOUSE BILL NO. 904—

BY REPRESENTATIVE JOHNSON

AN ACT

To enact R.S. 40:539(C)(8)(c), relative to employees of the Cottonport Housing Authority; to provide that employees of the Cottonport Housing Authority shall not be in the state civil service; and to provide for related matters.

Read by title.

Rep. Johnson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Anders	Gisclair	Montoucet
Armes	Greene	Moreno
Arnold	Guillory	Morris, Jay
Badon	Guinn	Norton
Barras	Harris	Ortego
Barrow	Harrison	Pearson
Berthelot	Havard	Pierre
Billiot	Hazel	Ponti
Bishop, S.	Henry	Pope
Bishop, W.	Hensgens	Pugh
Broadwater	Hill	Pylant
Brossett	Hodges	Reynolds
Brown	Hoffmann	Ritchie
Burford	Hollis	Robideaux
Burns, H.	Howard	Schexnayder
Burns, T.	Hunter	Schroder
Burrell	Huval	Seabaugh
Carmody	Ivey	Shadoin
Carter	Jackson, K.	Simon
Champagne	James	Smith
Chaney	Jefferson	St. Germain
Connick	Johnson	Stokes
Cox	Jones	Talbot
Cromer	Lambert	Thibaut
Danahay	Landry, N.	Thierry
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Fannin	Leger	Williams, P.
Foil	Leopold	Willmott
Franklin	Lorusso	Woodruff

Total - 96

NAYS

Total - 0

ABSENT

Adams	Honore	Price
Edwards	Lopinto	Richard
Geymann	Morris, Jim	Thompson
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johnson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 963—

BY REPRESENTATIVE GAROFALO

AN ACT

To enact R.S. 32:410.1, relative to official state identification credentials; to prohibit novelty or unofficial credentials intended to simulate state credentials; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 963 by Representative Garofalo

AMENDMENT NO. 1

On page 1, line 9, following "any" and before "intended" change "credential that is fictitious or a facsimile of or" to "fictitious or facsimile credential that is"

AMENDMENT NO. 2

On page 2, line 8, following "United States" and before "1" change "Post Office" to "Postal Service"

On motion of Rep. Barrow, the amendments were adopted.

Rep. Garofalo moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Montoucet
Abramson	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Norton
Arnold	Harris	Ortego
Badon	Harrison	Pearson
Barras	Havard	Pierre
Barrow	Hazel	Ponti
Berthelot	Henry	Pope
Billiot	Hensgens	Price
Bishop, S.	Hill	Pugh
Bishop, W.	Hodges	Pylant
Broadwater	Hoffmann	Reynolds
Brossett	Hollis	Richard
Brown	Honore	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hunter	Schexnayder

Page 26 HOUSE

11th Day's Proceedings - March 26, 2014

Burns, T.	Huval	Seabaugh
Burrell	Ivey	Shadoin
Carmody	Jackson, K.	Simon
Carter	James	Smith
Champagne	Jefferson	St. Germain
Chaney	Johnson	Stokes
Connick	Jones	Talbot
Cox	Lambert	Thibaut
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Whitney
Dixon	LeBas	Williams, A.
Dove	Leger	Williams, P.
Fannin	Leopold	Willmott
Foil	Lorusso	Woodruff
Franklin	Mack	
Gaines	Miller	
Total - 97		

NAYS

Total - 0

ABSENT

Adams	Guinn	Schroder
Edwards	Lopinto	Thompson
Geymann	Morris, Jim	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Garofalo moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 967—

BY REPRESENTATIVE GAROFALO
AN ACT

To enact R.S. 32:410.1, relative to international driver's licenses; to provide for the use and validity of international driver's licenses; to provide for cease and desist orders; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 967 by Representative Garofalo

AMENDMENT NO. 1

On page 1, line 14, following "or" and before "any" insert "in"

On motion of Rep. Barrow, the amendments were adopted.

Rep. Garofalo moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Miller
Abramson	Gisclair	Montoucet
Anders	Greene	Moreno

Armes	Guillory	Morris, Jay
Arnold	Guinn	Norton
Badon	Harris	Ortego
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hill	Price
Bishop, W.	Hodges	Pugh
Broadwater	Hoffmann	Pylant
Brossett	Hollis	Reynolds
Brown	Honore	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hunter	Schexnayder
Burns, T.	Huval	Schroder
Burrell	Ivey	Seabaugh
Carmody	Jackson, K.	Shadoin
Carter	James	Simon
Champagne	Jefferson	Smith
Chaney	Johnson	St. Germain
Connick	Jones	Stokes
Cox	Lambert	Talbot
Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dove	LeBas	Whitney
Fannin	Leger	Williams, A.
Foil	Leopold	Williams, P.
Franklin	Lorusso	Willmott
Gaines	Mack	Woodruff
Total - 96		

NAYS

Total - 0

ABSENT

Adams	Geymann	Morris, Jim
Dixon	Hensgens	Richard
Edwards	Lopinto	Thompson
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Garofalo moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1010—

BY REPRESENTATIVE ALFRED WILLIAMS
AN ACT

To enact R.S. 33:9097.22, relative to East Baton Rouge Parish; to create the Villa del Rey Crime Prevention and Neighborhood Improvement District within the parish; to provide relative to the boundaries, purpose, governance, and powers and duties of the district; to provide relative to the funding, including the authority to impose a parcel fee, subject to voter approval, within the district; and to provide for related matters.

Read by title.

Rep. Alfred Williams sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alfred Williams to Engrossed House Bill No. 1010 by Representative Alfred Williams

AMENDMENT NO. 1

On page 3, line 22, after "The" and before "Villa del Rey" insert "board of directors of the"

On motion of Rep. Alfred Williams, the amendments were adopted.

Rep. Alfred Williams moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Miller
Abramson	Gaines	Montoucet
Anders	Garofalo	Moreno
Armes	Gisclair	Morris, Jay
Arnold	Guillory	Norton
Badon	Guinn	Ortego
Barras	Harris	Pearson
Barrow	Harrison	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hill	Price
Bishop, W.	Hodges	Pugh
Broadwater	Hoffmann	Pylant
Brossett	Hollis	Reynolds
Brown	Honore	Ritchie
Burford	Howard	Schexnayder
Burns, H.	Hunter	Schroder
Burns, T.	Huval	Seabaugh
Burrell	Ivey	Shadoin
Carter	Jackson, K.	Simon
Champagne	Jefferson	St. Germain
Chaney	Johnson	Stokes
Connick	Jones	Talbot
Cox	Lambert	Thierry
Cromer	Landry, T.	Whitney
Danahay	LeBas	Williams, A.
Dixon	Leger	Williams, P.
Dove	Leopold	Willmott
Fannin	Lorusso	Woodruff
Foil	MacK	

Total - 89

NAYS

Landry, N.
Total - 1

ABSENT

Adams	Havard	Richard
Carmody	Hensgens	Robideaux
Edwards	James	Smith
Geymann	Lopinto	Thibaut
Greene	Morris, Jim	Thompson

Total - 15

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alfred Williams moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 9—

BY REPRESENTATIVE EDWARDS

AN ACT

To enact R.S. 22:1295.1, relative to motor vehicle liability insurance; to provide for liability for certain operators excluded from coverage; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Jones, the bill was returned to the calendar.

HOUSE BILL NO. 106—

BY REPRESENTATIVE LOPINTO

AN ACT

To amend and reenact R.S. 32:53(A) and to repeal R.S. 47:507, relative to motor vehicle license plates; to provide for the proper display of license plates; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Jones, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jones gave notice of Rep. Lopinto's intention to call House Bill No. 106 from the calendar on Wednesday, April 2, 2014.

HOUSE BILL NO. 136—

BY REPRESENTATIVES GUINN, BROWN, GISCLAIR, HONORE, AND NORTON

AN ACT

To amend and reenact R.S. 56:1948.5(47) and to enact R.S. 56:1948.5(65), relative to Louisiana Byways; to designate sections of certain highways as the Flyway Byway; to provide relative to the Creole Nature Trail All-American road route; and to provide for related matters.

Read by title.

Rep. Guinn moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Montoucet
Abramson	Greene	Moreno
Anders	Guillory	Morris, Jay
Armes	Guinn	Norton
Arnold	Harris	Ortego
Badon	Harrison	Pearson
Barras	Havard	Pierre
Barrow	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Schexnayder
Burns, T.	Hunter	Schroder
Burrell	Huval	Seabaugh
Carmody	Ivey	Shadoin
Carter	Jackson, K.	Simon

Page 28 HOUSE

11th Day's Proceedings - March 26, 2014

Champagne	James	Smith
Chaney	Jefferson	St. Germain
Connick	Johnson	Stokes
Cox	Jones	Talbot
Cromer	Lambert	Thibaut
Danahay	Landry, N.	Thierry
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Fannin	Leger	Williams, P.
Foil	Leopold	Willmott
Franklin	Lorusso	Woodruff
Gaines	Mack	
Garofalo	Miller	
Total - 97		

NAYS

Total - 0

ABSENT

Adams	Geymann	Robideaux
Berthelot	Lopinto	Thompson
Edwards	Morris, Jim	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Guinn moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 145—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 13:3881(A)(4)(c), to enact R.S. 13:3881(A)(4)(g), and to repeal R.S. 13:3881(A)(2)(e), relative to exemptions from seizure; to provide a general exemption from seizure for all firearms and firearm accessories not to exceed a certain value; to repeal the exemption of one firearm of a certain value necessary for the exercise of a trade, calling, or profession; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Carmody, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Carmody gave notice of Rep. Thompson's intention to call House Bill No. 145 from the calendar on Monday, March 31, 2014.

HOUSE BILL NO. 197—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 35:413, relative to ex officio notaries for fire departments and fire protection districts; to authorize certain persons to appoint ex officio notaries for fire departments and fire protection districts; to provide for the duties and functions of the ex officio notary; to provide for limitations and termination of the ex officio notary; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Anders	Gisclair	Montoucet
Armes	Greene	Moreno
Arnold	Guillory	Morris, Jay
Badon	Guinn	Norton
Barras	Harris	Ortego
Barrow	Havard	Pearson
Berthelot	Hazel	Pierre
Billiot	Hensgens	Ponti
Bishop, S.	Hill	Pope
Bishop, W.	Hodges	Price
Broadwater	Hoffmann	Pugh
Brossett	Hollis	Pylant
Brown	Honore	Reynolds
Burford	Howard	Richard
Burns, H.	Hunter	Ritchie
Burns, T.	Huval	Schexnayder
Burrell	Ivey	Schroder
Carmody	Jackson, K.	Seabaugh
Carter	James	Shadoin
Champagne	Jefferson	Smith
Chaney	Johnson	Stokes
Connick	Jones	Thibaut
Cox	Lambert	Thierry
Cromer	Landry, N.	Whitney
Danahay	Landry, T.	Williams, A.
Dove	LeBas	Williams, P.
Fannin	Leger	Willmott
Foil	Leopold	Woodruff
Franklin	Lorusso	
Total - 92		

NAYS

Total - 0

ABSENT

Adams	Henry	St. Germain
Dixon	Lopinto	Talbot
Edwards	Morris, Jim	Thompson
Geymann	Robideaux	
Harrison	Simon	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. St. Germain moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 231—

BY REPRESENTATIVE PONTI
AN ACT

To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(b), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Rep. Ponti moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Montoucet
Abramson	Greene	Moreno
Anders	Guillory	Morris, Jay
Armes	Guinn	Norton
Arnold	Harris	Pearson
Badon	Harrison	Pierre
Barras	Havard	Ponti
Barrow	Hazel	Pope
Berthelot	Henry	Price
Billiot	Hill	Pugh
Bishop, S.	Hodges	Pylant
Bishop, W.	Hoffmann	Reynolds
Broadwater	Hollis	Richard
Brown	Honore	Ritchie
Burns, H.	Howard	Schexnayder
Burns, T.	Hunter	Schroder
Burrell	Huval	Seabaugh
Carmody	Ivey	Shadoin
Carter	Jackson, K.	Simon
Champagne	James	Smith
Chaney	Jefferson	St. Germain
Connick	Johnson	Stokes
Cox	Jones	Talbot
Cromer	Lambert	Thibaut
Danahay	Landry, N.	Thierry
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Fannin	Leger	Williams, P.
Foil	Leopold	Willmott
Franklin	Mack	Woodruff
Gaines	Miller	
Total - 92		

NAYS

Total - 0

ABSENT

Adams	Geymann	Ortego
Brossett	Hensgens	Robideaux
Burford	Lopinto	Thompson
Edwards	Lorusso	
Garofalo	Morris, Jim	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ponti moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 243—

BY REPRESENTATIVE BARRAS

AN ACT

To amend and reenact R.S. 35:191(C)(2) and to enact R.S. 35:191(C)(3), relative to notaries public; to provide for the administration of a pre-assessment test; to provide for the qualification to take the pre-assessment test; to provide for exceptions; and to provide for related matters.

Read by title.

Rep. Barras moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Montoucet
Abramson	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Norton
Arnold	Guinn	Ortego
Badon	Harris	Pearson
Barras	Harrison	Pierre
Barrow	Havard	Ponti
Berthelot	Hazel	Pope
Billiot	Henry	Price
Bishop, S.	Hill	Pugh
Bishop, W.	Hodges	Pylant
Broadwater	Hoffmann	Reynolds
Brossett	Hollis	Richard
Brown	Honore	Ritchie
Burford	Howard	Schexnayder
Burns, H.	Hunter	Schroder
Burns, T.	Huval	Seabaugh
Burrell	Ivey	Shadoin
Carmody	Jackson, K.	Simon
Carter	James	Smith
Champagne	Jefferson	St. Germain
Chaney	Johnson	Stokes
Connick	Jones	Talbot
Cox	Lambert	Thibaut
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Whitney
Dixon	LeBas	Williams, A.
Dove	Leger	Williams, P.
Fannin	Leopold	Willmott
Foil	Lorusso	Woodruff
Franklin	Mack	
Gaines	Miller	
Total - 97		

NAYS

Total - 0

ABSENT

Adams	Hensgens	Robideaux
Edwards	Lopinto	Thompson
Geymann	Morris, Jim	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Barras moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 316—

BY REPRESENTATIVES BURFORD, BROWN, GUINN, HILL, HONORE, HOWARD, AND PYLANT

AN ACT

To amend and reenact R.S. 32:1311(B), (C), and (D) and to enact R.S. 32:1311(E), relative to motor vehicle inspection requirements; to remove the requirement that single axle two-wheel trailers bear a valid safety inspection certificate; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Burford, the bill was returned to the calendar.

Page 30 HOUSE

11th Day's Proceedings - March 26, 2014

HOUSE BILL NO. 347—

BY REPRESENTATIVES BADON, HONORE, HOWARD, AND PYLANT
AN ACT

To amend and reenact R.S. 32:1301 and 1311(D) and to enact R.S. 32:1311(E), relative to trailer inspections; to exempt certain trailers from requirement to bear a safety inspection certificate; and to provide for related matters.

Read by title.

Rep. Badon sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Badon to Engrossed House Bill No. 347 by Representative Badon

AMENDMENT NO. 1

On page 2, delete line 11 in its entirety and insert the following:

"(2) As an alternate means of compliance with the requirements of 49 CFR, the owner or operator of a motor vehicle truck tractor may opt to obtain a Louisiana motor commercial motor vehicle inspection certificate which satisfies the requirements of 49 CFR 396.17. A trailer or semitrailer being used in combination with a truck tractor meeting such exemption may opt to obtain a Louisiana commercial motor vehicle inspection certificate which satisfies the requirements of 49 CFR 396.17.

(3) As used in this Section, "commercial motor vehicle" means any self-propelled truck tractor or towed vehicle which is used on public highways to transport property in interstate commerce, has been issued an apportioned plate through the International Registration Plan; and

(a) Has a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of 10,001 pounds or more; or

(b) Is used in the transportation of hazardous materials in quantity requiring placarding under regulations issued by the secretary under the Hazardous Materials Transportation Act (49 USC app. 1801-1813)."

On motion of Rep. Badon, the amendments were adopted

Rep. Badon moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Miller
Abramson	Gisclair	Montoucet
Anders	Greene	Moreno
Armes	Guillory	Morris, Jay
Arnold	Guinn	Norton
Badon	Harris	Ortego
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux

Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Ivey	Seabaugh
Carter	Jackson, K.	Shadoin
Champagne	James	Simon
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Stokes
Cromer	Lambert	Talbot
Danahay	Landry, N.	Thibaut
Dixon	Landry, T.	Thierry
Dove	LeBas	Whitney
Fannin	Leger	Williams, A.
Foil	Leopold	Williams, P.
Franklin	Lorusso	Willmott
Gaines	Mack	Woodruff
Total - 99		

NAYS

Total - 0

ABSENT

Adams	Geymann	Morris, Jim
Edwards	Lopinto	Thompson
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Badon moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 386—

BY REPRESENTATIVE HAVARD
AN ACT

To amend and reenact R.S. 32:1304(A)(3)(b), relative to required documents for trailer inspections; to provide that a valid inspection sticker is sufficient to meet the trailer inspection requirements; and to provide for related matters.

Read by title.

Rep. Havard moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Montoucet
Abramson	Garofalo	Moreno
Anders	Gisclair	Morris, Jay
Armes	Greene	Norton
Arnold	Guillory	Ortego
Badon	Guinn	Pearson
Barras	Harris	Pierre
Barrow	Harrison	Ponti
Berthelot	Havard	Pope
Billiot	Hazel	Price
Bishop, S.	Henry	Pylant
Bishop, W.	Hensgens	Reynolds
Broadwater	Hill	Richard
Brossett	Hodges	Ritchie
Brown	Hoffmann	Robideaux
Burford	Hollis	Schexnayder
Burns, H.	Howard	Schroder
Burns, T.	Hunter	Seabaugh
Burrell	Huval	Shadoin
Carmody	Ivey	Smith

Carter	Jackson, K.	St. Germain
Champagne	James	Stokes
Chaney	Jefferson	Talbot
Connick	Johnson	Thibaut
Cox	Jones	Thierry
Cromer	Landry, T.	Whitney
Danahay	LeBas	Williams, A.
Dixon	Leger	Williams, P.
Dove	Leopold	Willmott
Fannin	Lorusso	Woodruff
Foil	Mack	
Franklin	Miller	
Total - 94		

NAYS

Total - 0

ABSENT

Adams	Lambert	Pugh
Edwards	Landry, N.	Simon
Geymann	Lopinto	Thompson
Honore	Morris, Jim	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Havard moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 316—

BY REPRESENTATIVES BURFORD, BROWN, GUINN, HILL, HONORE, HOWARD, AND PYLANT

AN ACT

To amend and reenact R.S. 32:1311(B), (C), and (D) and to enact R.S. 32:1311(E), relative to motor vehicle inspection requirements; to remove the requirement that single axle two-wheel trailers bear a valid safety inspection certificate; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Burford sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Burford to Engrossed House Bill No. 316 by Representative Burford

AMENDMENT NO. 1

On page 2, at the beginning of line 25, insert "Materials"

On motion of Rep. Burford, the amendments were adopted.

Rep. Burford moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Miller
Abramson	Gisclair	Montoucet
Anders	Greene	Moreno
Armes	Guillory	Morris, Jay
Arnold	Guinn	Norton

Badon	Harris	Ortego
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Ivey	Seabaugh
Carter	Jackson, K.	Shadoin
Champagne	James	Simon
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Talbot
Cromer	Lambert	Thibaut
Danahay	Landry, N.	Thierry
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Fannin	Leger	Williams, P.
Foil	Leopold	Willmott
Franklin	Lorusso	Woodruff
Gaines	Mack	
Total - 98		

NAYS

Total - 0

ABSENT

Adams	Lopinto	Thompson
Edwards	Morris, Jim	
Geymann	Stokes	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Burford moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 400—

BY REPRESENTATIVE BADON

AN ACT

To repeal Subpart G of Part VI of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:300.1 through 300.6, relative to Jazzland, Inc.; to repeal provisions of law relating to the reservation of the term "Jazzland" and related logos and symbols as trade names, trademarks, and service marks by Jazzland, Inc. in the state of Louisiana.

Read by title.

Rep. Badon moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Montoucet
Abramson	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Norton
Arnold	Guinn	Ortego

Page 32 HOUSE

11th Day's Proceedings - March 26, 2014

Badon	Harris	Pearson
Barras	Harrison	Pierre
Barrow	Havard	Ponti
Berthelot	Hazel	Pope
Billiot	Henry	Price
Bishop, S.	Hensgens	Pugh
Bishop, W.	Hill	Pylant
Broadwater	Hodges	Reynolds
Brossett	Hoffmann	Richard
Brown	Hollis	Ritchie
Burford	Honore	Robideaux
Burns, H.	Howard	Schexnayder
Burns, T.	Hunter	Schroder
Burrell	Huval	Seabaugh
Carmody	Ivey	Shadoin
Carter	Jackson, K.	Simon
Champagne	James	Smith
Chaney	Jefferson	St. Germain
Connick	Johnson	Stokes
Cox	Jones	Talbot
Cromer	Lambert	Thibaut
Danahay	Landry, N.	Thierry
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Fannin	Leger	Williams, P.
Foil	Lorusso	Willmott
Franklin	Mack	Woodruff
Gaines	Miller	
Total - 98		

NAYS

Total - 0

ABSENT

Adams	Leopold	Thompson
Edwards	Lopinto	
Geymann	Morris, Jim	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Badon moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 422—

BY REPRESENTATIVE SHADOIN

AN ACT

To amend and reenact R.S. 9:202(1), relative to authority to perform a marriage ceremony; to require a religious official to have attained the age of majority before being authorized to perform a marriage ceremony; and to provide for related matters.

Read by title.

Rep. Shadoin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Miller
Abramson	Greene	Montoucet
Anders	Guinn	Moreno
Armes	Harris	Morris, Jay
Arnold	Harrison	Norton
Badon	Havard	Ortego
Barras	Hazel	Pearson

Barrow	Henry	Pierre
Berthelot	Hensgens	Ponti
Billiot	Hill	Pope
Bishop, S.	Hodges	Price
Bishop, W.	Hoffmann	Pugh
Broadwater	Hollis	Pylant
Brossett	Honore	Richard
Brown	Howard	Ritchie
Burford	Hunter	Robideaux
Burns, H.	Huval	Schexnayder
Burns, T.	Ivey	Schroder
Carmody	Jackson, K.	Seabaugh
Carter	James	Shadoin
Champagne	Jefferson	Simon
Chaney	Johnson	Smith
Connick	Jones	Stokes
Cromer	Lambert	Talbot
Danahay	Landry, N.	Thibaut
Dove	Landry, T.	Thierry
Fannin	LeBas	Whitney
Foil	Leger	Williams, A.
Franklin	Leopold	Williams, P.
Gaines	Lorusso	Willmott
Garofalo	Mack	Woodruff
Total - 93		

NAYS

Total - 0

ABSENT

Adams	Edwards	Morris, Jim
Burrell	Geymann	Reynolds
Cox	Guillory	St. Germain
Dixon	Lopinto	Thompson
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Shadoin moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Broadwater, the rules were suspended in order to take up and consider Introduction of House Bills and Joint Resolutions at this time.

Introduction of House Bills and Joint Resolutions

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE BILL NO. 1069—

BY REPRESENTATIVES BROADWATER AND HENRY

AN ACT

To amend and reenact R.S. 23:1021(13)(e) through (g) and to enact R.S. 23:1021(13)(h), relative to workers' compensation; to provide with respect to average weekly wage; to provide for the calculation of average weekly wage for employees with variable wage employment contracts; to provide for definitions; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1070—

BY REPRESENTATIVE BROSSETT
AN ACT

To enact R.S. 38:2225.1(B)(3), relative to public work contracts let by certain parish governing authorities; to provide for hiring preferences; to provide for an effective date; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on
Administration of Criminal Justice

March 26, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 332, by Lopinto
Reported favorably. (15-0)

House Bill No. 442, by Hazel
Reported by substitute. (14-0)

House Bill No. 514, by Henry
Reported with amendments. (13-0)

House Bill No. 562, by Lopinto
Reported with amendments. (13-0)

House Bill No. 741, by Lopinto
Reported favorably. (14-0)

House Bill No. 747, by Moreno
Reported with amendments. (14-0)

House Bill No. 750, by Moreno
Reported with amendments. (14-0)

House Bill No. 753, by Moreno
Reported with amendments. (13-0)

House Bill No. 1027, by LeBas
Reported by substitute. (15-0)

JOSEPH P. LOPINTO III
Chairman

Report of the Committee on
Education

March 26, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Education to submit the following report:

House Bill No. 180, by Dove
Reported favorably. (15-0)

House Bill No. 242, by Armes
Reported favorably. (11-0)

House Bill No. 555, by Henry
Reported favorably. (11-2)

House Bill No. 690, by Broadwater
Reported with amendments. (11-0)

House Bill No. 728, by Jackson, K
Reported favorably. (12-0)

House Bill No. 944, by Fannin
Reported with amendments. (10-0)

House Bill No. 946, by Schroder
Reported by substitute. (15-0)

House Bill No. 975, by Bishop, Wesley
Reported with amendments. (12-0)

House Bill No. 1016, by Pierre
Reported favorably. (12-0)

STEPHEN F. CARTER
Chairman

Report of the Committee on
Health and Welfare

March 26, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 168, by Hoffmann
Reported with amendments. (16-0)

House Bill No. 464, by Broadwater
Reported with amendments. (16-0)

House Bill No. 513, by Henry
Reported with amendments. (13-0)

House Bill No. 610, by Abramson
Reported favorably. (16-0)

House Bill No. 672, by Whitney
Reported by substitute. (14-0)

SCOTT M. SIMON
Chairman

Report of the Committee on
House and Governmental Affairs

March 26, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Bill No. 401, by Barras
Reported with amendments. (8-0)

House Bill No. 409, by Champagne
Reported favorably. (8-0)

House Bill No. 439, by Greene
Reported with amendments. (7-0)

House Bill No. 874, by Bishop, Stuart
Reported with amendments. (8-0)

TIMOTHY G. "TIM" BURNS

Page 34 HOUSE

11th Day's Proceedings - March 26, 2014

Chairman

Report of the Committee on Insurance

March 26, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the following report:

House Bill No. 320, by Greene
Reported with amendments. (9-3-1)

House Bill No. 820, by Huval
Reported with amendments. (12-0)

House Bill No. 879, by Thibaut
Reported with amendments. (11-0)

GREGORY CROMER
Chairman

Report of the Committee on Natural Resources and Environment

March 26, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Natural Resources and Environment to submit the following report:

House Bill No. 140, by Montoucet
Reported by substitute. (15-0)

House Bill No. 186, by Henry
Reported favorably. (11-0)

House Bill No. 344, by Armes
Reported with amendments. (12-0)

House Bill No. 353, by Burford
Reported with amendments. (11-3)

House Bill No. 447, by Pylant
Reported with amendments. (10-0)

House Bill No. 910, by Connick
Reported by substitute. (13-0)

GORDON E. DOVE, SR.
Chairman

Suspension of the Rules

On motion of Rep. Pugh, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

Petitions, Memorials, and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

March 26, 2014

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 29 and 30

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Privileged Report of the Committee on Enrollment

March 26, 2014

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 42— BY REPRESENTATIVE CROMER

A RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to reauthorize the Terrorism Risk Insurance Program.

HOUSE RESOLUTION NO. 43— BY REPRESENTATIVE SMITH

A RESOLUTION

To recognize Thursday, March 27, 2014, as Southern Poverty Law Center Day at the state capitol and to commend the Southern Poverty Law Center for its invaluable contributions to the state of Louisiana.

HOUSE RESOLUTION NO. 45—

BY REPRESENTATIVES LORUSSO, HENRY, AND LEGER
A RESOLUTION

To commend Father Raymond Fitzgerald, S.J., for his remarkable contributions to Jesuit High School in New Orleans, Louisiana, and to extend to him best wishes of the legislature for health and happiness in the future.

Respectfully submitted,

HAROLD RITCHIE
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

March 26, 2014

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE KLECKLEY AND SENATOR ALARIO
A CONCURRENT RESOLUTION

To recognize Wednesday, March 26, 2014, as the second annual Liquefied Natural Gas (LNG) Day at the state capitol.

HOUSE CONCURRENT RESOLUTION NO. 30—
BY REPRESENTATIVE PONTI
A CONCURRENT RESOLUTION

To commend Mr. and Mrs. Ray Gendron upon the celebration of their fiftieth wedding anniversary.

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVES KATRINA JACKSON, ANDERS, ARMES, ARNOLD, BADON, BARROW, BILLIOT, BROWN, BURRELL, CARTER, DIXON, EDWARDS, FOIL, FRANKLIN, GAINES, GISCLAIR, GUINN, HARRIS, HAZEL, HODGES, HOFFMANN, HONORE, HUNTER, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, TERRY LANDRY, LEBAS, MONTOUCE, MORENO, NORTON, PIERRE, PRICE, PUGH, REYNOLDS, RITCHIE, ROBIDEAUX, SCHEXNAYDER, SMITH, ST. GERMAIN, THIERRY, ALFRED WILLIAMS, PATRICK WILLIAMS, WILLMOTT, AND WOODRUFF AND SENATORS BROOME AND DORSEY-COLOMB
A CONCURRENT RESOLUTION

To recognize the life of Nelson Mandela, former President of South Africa, civil rights leader, teacher, freedom fighter, father of his nation, and inspiration to the global community, by expressing support for the Nelson Mandela Scholars Program at Southern University and Agricultural and Mechanical College in Baton Rouge, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 32—
BY REPRESENTATIVE MORENO
A CONCURRENT RESOLUTION

To commend Susan G. Komen for the Cure and its Louisiana affiliates for improving the quality of life in local communities through the delivery of breast cancer education, screening, treatment, and research, and to recognize Tuesday, April 29, 2014, as Komen for the Cure Day at the Legislature of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVES SMITH, BARROW, HILL, KATRINA JACKSON, MORENO, NORTON, ST. GERMAIN, THIERRY, AND WOODRUFF AND SENATORS BROOME AND PETERSON
A CONCURRENT RESOLUTION

To commend the Department of Public Safety and Corrections for moving the mobile welding unit from the Louisiana State Penitentiary to the Louisiana Correctional Institute for Women to begin offering female inmates education and training programs for nontraditional, high-demand, and high-wage jobs.

HOUSE CONCURRENT RESOLUTION NO. 36—
BY REPRESENTATIVE BURRELL AND SENATOR PEACOCK
A CONCURRENT RESOLUTION

To commend Reverend Ernest Edward "E.E." Jones, Sr., for more than fifty-five years of faithful and dedicated service as pastor of Galilee Baptist Church in Shreveport.

HOUSE CONCURRENT RESOLUTION NO. 37—
BY REPRESENTATIVE STUART BISHOP
A CONCURRENT RESOLUTION

To commend Apache Corporation for its responsible and sustainable environmental stewardship and dedication to protecting the coastal wetlands of Louisiana through its commitment to coastal restoration and reforestation through the planting of trees in the coastal areas of Louisiana and to enhancing the quality of life in Louisiana.

Respectfully submitted,

HAROLD RITCHIE
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Suspension of the Rules

On motion of Rep. Anders, the rules were suspended to permit the Committee on Agriculture, Forestry, Aquaculture, and Rural Development to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 1045 and 1056

Suspension of the Rules

On motion of Rep. Arnold, the rules were suspended to permit the Committee on Judiciary to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 314

Suspension of the Rules

On motion of Rep. Badon, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 923

Suspension of the Rules

Rep. Pearson moved to suspend the rules to permit the Committee on Retirement to consider House Bill No. 45 not listed on its weekly committee schedule as required by House Rule 14.23.

Rep. Jones objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Morris, Jay
Barras	Garofalo	Pearson
Berthelot	Harris	Pope
Bishop, S.	Henry	Pugh
Broadwater	Hensgens	Pylant
Burford	Hodges	Robideaux
Burns, H.	Hollis	Schexnayder
Burns, T.	Huval	Schroder
Carter	Ivey	Seabaugh
Champagne	Lambert	Shadoin
Chaney	Landry, N.	Simon
Connick	Leopold	Stokes
Cromer	Lorusso	Whitney
Dove	Mack	
Fannin	Miller	
Total - 43		

Page 36 HOUSE

11th Day's Proceedings - March 26, 2014

NAYS

Anders	Gisclair	Norton
Armes	Havard	Ortego
Arnold	Hill	Pierre
Badon	Honore	Price
Barrow	Hunter	Ritchie
Billiot	Jackson, K.	Smith
Bishop, W.	James	Thibaut
Brossett	Johnson	Thierry
Brown	Jones	Williams, A.
Burrell	Landry, T.	Williams, P.
Danahay	LeBas	Willmott
Dixon	Leger	Woodruff
Franklin	Montoucet	
Gaines	Moreno	
Total - 40		

ABSENT

Abramson	Guinn	Ponti
Adams	Harrison	Reynolds
Carmody	Hazel	Richard
Cox	Hoffmann	St. Germain
Edwards	Howard	Talbot
Geymann	Jefferson	Thompson
Greene	Lopinto	
Guillory	Morris, Jim	
Total - 22		

The House refused to suspend the rules.

Leave of Absence

Rep. Adams - 1 day

Rep. Edwards - 1 day

Rep. Lopinto - ½ day

Adjournment

On motion of Rep. Billiot, at 3:15 P.M., the House agreed to adjourn until Thursday, March 27, 2014, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, March 27, 2014.

ALFRED W. SPEER
Clerk of the House

Committee Meeting Notices

The following committees posted notices as follows:

Committee on Agriculture, Forestry, Aquaculture, and Rural Development

Will meet at: Upon Adjournment Date: Thursday, March 27, 2014

Location: Committee Room 3

HB 119 HOFFMANN ANIMALS/LIVESTOCK AT LG Revises a certain highway intersection designation in the statutory list of public highways prohibiting livestock at large

HB 878 LEBAS AGRICULTURE/SOYBEANS Provides relative to the Louisiana Soybean and Grain Research and Promotion Board

HB 886 MONToucET AGRICULTURE/RICE Provides relative to assessments levied by the Louisiana Rice Research Board

HB 1045 LEBAS (TBA) AGRICULTURE/RICE Provides relative to assessments levied by the Louisiana Rice Promotion Board (Subject to Rule Suspension)

HB 1056 LAMBERT (TBA) AGRICULTURE Provides relative to assessments levied by the Louisiana Crawfish Promotion and Research Board (Subject to Rule Suspension)

Approval of meeting minutes from the 2013 Regular Session: April 18 and May 2

JOHN F. "ANDY" ANDERS
Chairman

Committee on Judiciary

Will meet at: Upon Adjournment Date: Thursday, March 27, 2014

Location: Committee Room 1

HB 46 BURNS, HENRY JUDGMENTS Requires judges to sign and print their names on all judgments

HB 314 ARNOLD (TBA) SUNSET LAW Re-creates the Dept. of Justice (Subject to Rule Suspension)

HB 395 WILLIAMS, A COURTS Provides relative to penalties for contempt of court

HB 460 ARNOLD ALCOHOLIC BEVERAGES Provides relative to mailing of official correspondence by the office of alcohol and tobacco control

HB 471 HUNTER ALCOHOLIC BEVERAGES Authorizes the sale of wine ice cream in the state of Louisiana

HB 472 HUNTER JUDGES Authorizes judges to practice law

HB 496 ARNOLD ALCOHOLIC BEVERAGE PERMT Provides relative to wine and malt beverage permits

HB 526 NORTON CRIMINAL/PROCEDURE Provides with respect to the exemption of fees for certain expungement cases

HB 527 PEARSON COURTS Relative to Family Court in the 22nd Judicial District Court

HB 534 SHADOIN CLERKS OF COURT Provides relative to requirements for clerks of court

HB 535 SHADOIN CLERKS OF COURT Provides relative to processing fees associated with reporting requirements for clerks of court

HB 569 STOKES COURTS Relative to human trafficking courts

HB 578 COX ALCOHOLIC BEVERAGES Authorizes the city of Mansfield to conduct local option elections regarding the sale of alcohol in restaurants

HB 625 ABRAMSON JUDGES Provides for the recusation of judges in certain civil matters

HB 709 GAROFALO JUDGES/JUSTICE OF PEACE Provides relative to the duties and authority of justices of the peace

HB 888 ARNOLD CLERKS OF COURT Creates a statewide portal for secure remote access to certain records maintained by district clerks of court

HB 916 LEGER JUDGES Provides for extending the collection of increased filing fees by the civil district court judges

HB 1036 ARNOLD ALCOHOLIC BEVERAGES Provides for the donation of alcoholic beverages to certain organizations

JEFFERY "JEFF" ARNOLD
Chairman

Committee on Labor and Industrial Relations

Will meet at: Upon Adjournment Date: Thursday, March 27, 2014

Location: Committee Room 5

HB 315 BISHOP, STUART UNEMPLOYMENT COMP To repeal provisions relative to shared work plans

HB 692 BROADWATER EMPLOYMENT /UNEMPLOYMENT Provides with respect to payroll reports

HB 698 COX EMPLOYMENT/UNEMPLOYMENT Provides with respect to the ability to file quarterly reports by magnetic media

HB 765 PIERRE EMPLOYMENT Provides relative to membership of Workers' Compensation Advisory Council

HB 819 LOPINTO EMPLOYMENT/UNEMPLOYMENT Provides with respect to unemployment compensation benefits

HB 880 STOKES EMPLOYMENT/UNEMPLOYMENT Provides with respect to unemployment insurance tax delay periods

HB 984 PIERRE UNEMPLOYMENT COMP Provides for technical corrections to various unemployment compensation provisions

HERBERT B. DIXON
Chairman

Committee on Municipal, Parochial and Cultural Affairs

Will meet: Upon Adjournment Date: Thursday, March 27, 2014

Location: Committee Room 6

HB 98 WILLIAMS, PATRICK FUNDS/FUNDING Provides for the distribution of the monies in the Shreveport Riverfront and Convention Center and Independence Stadium Fund

HB 272 WILLIAMS, ALFRED WEAPONS/FIREARMS Provides relative to firearms buyback programs for parishes and municipalities

HB 339 LEGER PARISH/ORLEANS Provides relative to the powers granted to the governing authority of the city of

New Orleans to remove weeds and other deleterious growths

HB 371 BADON DISTRICTS/NEIGHBORHOOD Provides relative to the parcel fee levied within the Kingswood Subdivision Improvement District in Orleans Parish

HB 574 BROSSETT DISTRICTS/NEIGHBORHOOD Provides relative to the Seabrook Neighborhood Improvement and Security District in Orleans Parish

HB 581 HAVARD TAX/HOTEL OCCUPANCY Authorizes the governing authority of the city of Zachary to levy a hotel occupancy tax

HB 866 BARROW HOUSING/AUTHORITIES Provides relative to annual reports of local housing authorities

HB 918 BARROW DISTRICTS/REDEVELOPMENT Authorizes redevelopment authorities to create public benefit corporations

HB 923 IVEY (TBA) MUNICIPALITIES Requires governing authorities of parishes and municipalities to make meeting agendas, minutes, and votes available on the Internet (Subject to Rule Suspension)

HB 928 HUNTER DISTRICTS/SPECIAL Creates the Monroe-West Monroe Improvement and Security District

HB 951 FOIL DISTRICTS/CRIME PREVENT Creates the University Acres Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish

HB 1019 GAROFALO DISTRICTS/ECONOMIC DEVEL Creates the St. Bernard Parish Economic Development Commission

AUSTIN J. BADON
Chairman

Committee on Retirement

Will meet at: Upon Adjournment Date: Thursday, March 27, 2014

Location: Committee Room 4

HB 6 PEARSON RETIREMENT/TEACHERS Establishes a minimum employer contribution rate for the Optional Retirement Plan in the Teachers' Retirement System of Louisiana

HB 24 PEARSON RETIREMENT/MUNICIPAL POL Provides relative to amortization schedules for credits and liabilities of the Municipal Police Employees' Retirement System

HB 65 MONTOUCET RETIREMENT/FIREFIGHTERS Authorizes the board of trustees of the Firefighters' Retirement System to adopt group trust provisions pursuant to Internal Revenue Service rulings

HB 67 MONTOUCET RETIREMENT/FIREFIGHTERS Provides relative to the accrual rate and Deferred Retirement Option Plan participation in the Firefighters' Retirement System

HB 75 MONTOUCET RETIREMENT/FIREFIGHTERS Requires court order be provided to the Firefighters' Retirement System before the system can seize or garnish benefits of a member

Page 38 HOUSE

11th Day's Proceedings - March 26, 2014

HB 76 MONToucET RETIREMENT/FIREFIGHTERS
Provides relative to the removal of a former spouse as a designated beneficiary of an active member of the Firefighters' Retirement System

HB 77 MONToucET RETIREMENT/FIREFIGHTERS
Provides for conversion of leave to service credit in the Firefighters' Retirement System

HB 90 BARROW RETIREMENT/FUNDING Requires occasional supplemental payments to retirees and beneficiaries of the four state retirement systems from monies available from the Seniors' Supplement Fund

J. KEVIN PEARSON
Chairman

Weekly Committee Schedules

The following committees posted weekly committee schedules as follows:

Committee on Appropriations

Monday, March 31, 2014
Committee Room 5
9:00 am

INSTRUMENTS TO BE HEARD:

HB 177 CHAMPAGNE PUBLIC CONTRACTS Requires reporting certain information on contracts awarded without competitive bid or negotiation

HB 410 CHAMPAGNE PUBLIC CONTRACTS Provides for content, review, approval, and monitoring of certain cooperative endeavor agreements and contracts

HB 865 RICHARD PUBLIC CONTRACTS Provides for content, review, approval, and monitoring of certain cooperative endeavor agreements and contracts

HB 1033 KLECKLEY FUNDS/FUNDING Provides for enactment of the Workforce and Innovation for a Stronger Economy (WISE) Fund

OTHER BUSINESS:

Department of Natural Resources

Department of Wildlife and Fisheries

Department of Environmental Quality

Department of Treasury

Tuesday, April 1, 2014
Committee Room 5
9:00 am

OTHER BUSINESS:

Department of Health and Hospitals

Health Care Services Division

Any legislative instrument listed on the weekly schedule and listed on the notice for Monday, March 31st, which is not disposed of at that meeting may be carried over and listed on the notice for Tuesday, April 1st.

LEGISLATIVE INSTRUMENTS MAY BE DELETED (DOES NOT REQUIRE HOUSE RULES SUSPENSION) OR ADDED (REQUIRES HOUSE RULES SUSPENSION) PRIOR TO THE MEETING DATE. (HOUSE RULES 14.23 AND 14.24) SEE THE DAILY NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.

JAMES R. "JIM" FANNIN
Chairman

Committee on Civil Law and Procedure

Monday, March 31, 2014

NO MEETING IS SCHEDULED

Tuesday, April 1, 2014
Committee Room 4
9:00 a.m.

INSTRUMENTS TO BE HEARD:

HB 153 HUVAL CIVIL/TRIALS Provides relative to expedited jury trials

HB 482 SHADOIN CIVIL/VENUE Provides relative to venue for actions involving latent disease

HB 613 ABRAMSON CIVIL/JURY TRIALS Provides relative to the monetary amount in controversy necessary for a jury trial

HB 618 ABRAMSON CIVIL/DAMAGES Provides a peremptive period for action for certain damages

HB 623 ABRAMSON CIVIL/PROCEDURE Provides relative to special masters

HB 624 ABRAMSON EVIDENCE Provides relative to expert testimony

HB 917 GAROFALO CIVIL/JURY TRIALS Provides with respect to the availability of jury trials in certain civil matters

LEGISLATIVE INSTRUMENTS MAY BE DELETED (DOES NOT REQUIRE HOUSE RULES SUSPENSION) OR ADDED (REQUIRES HOUSE RULES SUSPENSION) PRIOR TO THE MEETING DATE. (HOUSE RULES 14.23 AND 14.24) SEE THE DAILY NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.

NEIL C. ABRAMSON
Chairman

Committee on Commerce

Monday, March 31, 2014
Committee Room 1
9:30 a.m.

INSTRUMENTS TO BE HEARD:

HB 340 JAMES PRIVACY/COMPUTERS Creates the Personal Online Account Privacy Protection Act

HB 611 ABRAMSON COMMERCIAL LAWS/LA.(UCC) Provides for revisions relative to the electronic transfer of funds

HB 621 ABRAMSON CORPORATIONS Provides relative to the authority to act on behalf of a deceased or incompetent member of a limited liability company

HB 766 PONTI FINANCIAL INSTITUTIONS Provides relative to consumer credit transactions

- HB 804 BROSSETT HOUSING** Provides relative to the Louisiana Equal Housing Opportunity Act
- HB 807 BARRAS FINANCIAL INSTITUTIONS** Makes changes to residential mortgage brokers and lenders law
- HB 838 HOFFMANN REAL ESTATE** Provides relative to fees charged by the Louisiana Real Estate Appraisers Board
- HB 894 HOFFMANN REAL ESTATE/APPRAISERS** Relative to the membership requirements for the Louisiana Real Estate Appraisers Board
- HB 1018 HOFFMANN REAL ESTATE** Provides relative to the Louisiana Real Estate Appraisers Law

Tuesday, April 1, 2014
Committee Room 1
9:00 a.m.

INSTRUMENTS TO BE HEARD:

- HCR 35 PONTI COMMERCE** Repeals the plumbing provisions of the state Sanitary Code
- HB 167 GREENE BOARDS/COMMISSIONS** Provides relative to the Louisiana Board of Professional Geoscientists
- HB 661 PRICE FINANCIAL INSTITUTIONS** Provides relative to the admissibility of electronic reproductions of records retained by financial institutions
- HB 919 PONTI CONTRACTORS** Permits a licensed municipal and public works contractor to work on certain utility lines
- HB 1048 PONTI COMMERCE** Requires the Louisiana State Uniform Construction Code Council to adopt certain codes relative to plumbing

LEGISLATIVE INSTRUMENTS MAY BE DELETED (DOES NOT REQUIRE HOUSE RULES SUSPENSION) OR ADDED (REQUIRES HOUSE RULES SUSPENSION) PRIOR TO THE MEETING DATE. (HOUSE RULES 14.23 AND 14.24) SEE THE DAILY NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.

ERICH E. PONTI
Chairman

Committee on Transportation, Highways, and Public Works

Monday, March 31, 2014
Committee Room 3
9:30 a.m.

INSTRUMENTS TO BE HEARD:

- HB 364 MACK MTR VEHICLE/DRIVER LIC** Provides for suspension and seizure of a person's driver's license
- HB 370 THOMPSON, J MOTOR VEHICLES** Prohibits drivers from using certain cellular devices while traveling through school zones during effective hours
- HB 474 IVEY TRAFFIC/VIOLATIONS** Prohibits the submission of notice of nonpayment of tickets, issued automatically, to credit reporting agencies

- HB 631 ARNOLD TRANSPORTATION** Prohibits the issuance of moving violations to alleged violators through mail
- HB 666 SHADOIN PUBLIC CONTRACT/BIDS** Provides relative to claimants' rights under the public bid law
- HB 801 ARNOLD TRAFFIC/VIOLATIONS** Limits the types of citations which can be issued from automated speed enforcement systems
- HB 851 TALBOT MTR VEHICLE/COMPULS INS** Increase penalties for driving with cancelled auto liability policy
- HB 859 ARNOLD TRAFFIC/VIOLATIONS** Requires automated traffic enforcement systems to use a standardized caution light time
- HB 864 TALBOT MTR VEHICLE/COMPULS INS** Creates a penalty for school bus drivers operating buses without insurance
- HB 872 IVEY MTR VEHICLE/COMPULS INS** Provides relative to motor vehicle liability security
- HB 901 HONORE MTR VEHICLE/WEIGHT REGS** Provides for a special annual permit for overweight vehicles transporting crane equipment
- HB 907 ST. GERMAIN MTR VEHICLE/DRIVER LIC** Provides for the issuance of REAL ID compliant driver's licenses and special identification cards
- HB 908 COX PUBLIC CONTRACTS** Requires government contractors to document equal pay practices
- HB 1020 HARRISON MTR VEHICLE/DRIVER LIC** Authorizes removal of license plates on motor vehicles driven by persons with suspended or revoked driver's licenses

Tuesday, April 1, 2014
Committee Room 3
9:30 a.m.

INSTRUMENTS TO BE HEARD:

- HB 133 ANDERS PORTS/VIDALIA** Provides with respect to the Vidalia Port Commission
- HB 285 ST. GERMAIN MTR VEHICLE/DRIVER LIC** Provides relative to documentation of school attendance as a condition of driving privileges
- HB 303 HENSGENS MTR VEHICLE/TRUCK REGS** Provides with respect to overhang for trucks and trailers hauling heavy equipment
- HB 537 ST. GERMAIN MTR VEHICLE/REGISTRATION** Provides notification to new resident vehicle owners of the time limit for paying vehicle license taxes
- HB 565 SEABAUGH MTR VEHICLE/VIOLATIONS** Provides for the disposition of court costs and administrative fees for certain citations issued for exceeding the posted speed limit
- HB 905 ANDERS DISTRICTS/WATER CONSERVN** Provides relative to the boundaries of the Black River Lake Recreation and Water Conservation District

Page 40 HOUSE

11th Day's Proceedings - March 26, 2014

HB 932 ST. GERMAIN MOTOR VEHICLES Provides for acts of donation of a motor vehicle without an authentic act

HB 1005 ANDERS MTR VEHICLE/DRIVER LIC Exempts drivers' who possess valid military licenses from the knowledge and skills test requirements to obtain a Class "A", "B", and "C" commercial driver's license

PRESENTATION:

Louisiana Highway Safety Commission, office of public safety, John LeBlanc, Executive Director

LEGISLATIVE INSTRUMENTS MAY BE DELETED (DOES NOT REQUIRE HOUSE RULES SUSPENSION) OR ADDED (REQUIRES HOUSE RULES SUSPENSION) PRIOR TO THE MEETING DATE. (HOUSE RULES 14.23 AND 14.24) SEE THE DAILY NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.

KAREN GAUDET ST. GERMAIN
Chairwoman

Committee on Ways and Means

Monday, March 31, 2014
Committee Room 6
10:00 a.m.

INSTRUMENTS TO BE HEARD:

HB 436 FANNIN REVENUE DEPARTMENT Provides for the payment methods for refunds of overpayments of individual income tax

HB 465 BROADWATER TAX/AD VALOREM TAX Provides with respect to ad valorem taxes on shares of bank stock

HB 538 ST. GERMAIN MTR VEHICLE/DEALERS Authorizes the vehicle commissioner to extend the time to remit taxes and to waive certain tax penalties

HB 586 THIBAUT ASSESSORS Requires the assessor in certain parishes to pay the cost of certain insurance premiums for eligible retirees from the assessor's office

HB 708 GAROFALO TAX/TAX REBATES Defines "qualified capital expenditures" eligible for a project facility expense rebate through the Competitive Projects Payroll Incentive Program

HB 712 GREENE TAX/SEVERANCE TAX Prohibits the state from paying interest on refunds for the overpayment of certain severance taxes

HB 713 GREENE TAX/SEVERANCE TAX Provides that severance taxes do not have to be paid during the period of a suspension or exemption from severance tax when the well operator holds a certificate of good standing

HB 780 TALBOT TAX/TAX REBATES Provides relative to the requirements of certain school tuition organizations and the definition of a "qualified student" for purposes of the rebate

HB 798 STOKES TAX/STATE Provides relative to the enforcement and adjudication of state taxes

HB 847 PUGH TAX/SALES & USE Requires the filing of an annual use tax return for the payment of use tax on

taxable tangible personal property and services purchased from a remote seller

HB 912 BARROW REVENUE DEPARTMENT Provides relative to the manner in which the Department of Revenue may issue refunds for overpayments and requires a certain period for the activation of debit cards

HB 1042 RITCHIE TAX COMMISSION, STATE Extends authorization for the La. Tax Commission to levy and collect certain fees

Tuesday, April 1, 2014

NO MEETING IS SCHEDULED

LEGISLATIVE INSTRUMENTS MAY BE DELETED (DOES NOT REQUIRE HOUSE RULES SUSPENSION) OR ADDED (REQUIRES HOUSE RULES SUSPENSION) PRIOR TO THE MEETING DATE. (HOUSE RULES 14.23 AND 14.24) SEE THE DAILY NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.

JOEL C. ROBIDEAUX
Chairman